

special  
collections



DOUGLAS  
Library

QUEEN'S UNIVERSITY  
AT KINGSTON

KINGSTON ONTARIO CANADA





THE  
*Church - Anatomy :*  
OR, A  
REPRESENTATION  
OF THE  
Present Constitution  
OF THE  
*Church of England.*

---

Drawn up by a COMMITTEE of  
PROTESTANT LAYMEN.

---

WITH A  
Dedication to the Members of the late Com-  
*mittee of the Convocation.*

---

---

L O N D O N :

Printed, and Sold by J. ROBERTS in *Warwick-*  
*Lane.* MDCCXVIII.

(Price One Shilling.)

AC911.1718.C58

special  
collections

DOUGLAS  
Library



QUEEN'S UNIVERSITY  
AT KINGSTON

KINGSTON ONTARIO CANADA



T O T H E  
M E M B E R S

Of the late

*Committee of the Convocation.*

GENTLEMEN,

**Y**OU are so fully expos'd to the Eye of the World, and the following Subject leads so naturally to You as its Patron, that the Publisher would have been guilty of an unpardonable Fault, to have chose any other, either single Person or Collective Body of Men, to have address'd to.

I cannot but with much Grief of Heart lament Your busying Your selves in an Affair, which has turn'd so much to Your

Dishonour; especially when it would have been so much more commendable to have consider'd some of the Things mention'd in the following Sheets. Who knows but if these, with many other Matters of just Complaint had come under Your grave Notice, but *One* or *Other* of Your Worthy Members might have found out some *Beauty-Wash*, to have cover'd those Decays which are so evident in the Constitution of our Holy Mother!

Having mention'd these Words, *Holy Mother*, I cannot but observe to You, what You Your selves must have observ'd, that notwithstanding many *genuine Sons* have asserted her Sex, and that she is a very delicate fine Lady, full of Charms and Influence; yet her very Being has of late been call'd in Question, and her boasted Female Beauty been declar'd imaginary.

Nor have her Enemies confin'd themselves to this: They have not only declar'd against her being a *Belle Feme*, a gay young Creature, but they have gone farther, and will not allow her to be an *Authoritative* Old Woman; They declare against her Threats as Chimeras, that she has no Rods over the Chimney, and that her angry Words are mere Air.

To

## *The Dedication.*

V

To these Opinions their farther Sentiments do well agree: Having scrupled her Being, and set at nought her Railing and Censures, they seem not to value her Blessings and Favour much more; but boldly assert, her *Fair Words will butter no Parsnips*, that her specious Pretexts are all Shams, and that she has not Interest enough to keep off a Beating.

These Doctrines naturally tend to breed in the Minds of Young Fellows, a Disregard of her Person, which has hitherto claim'd great Reverence and Respect; they will be apt to conclude her only a Shadow, a Name without a Substance, or at best but as a Piece of Mrs. *Salmon's* Wax-Work.

Against such Arguings as these, one would have thought, we have been sufficiently guarded by the painful Preachings of several in this City, who are not doubted to understand Flesh and Blood well; these, I say, do not fail in every Discourse to inform their Hearers of the Being and Beauty of this gallant Gentlewoman, but in fine-turn'd Periods, and due Emphasis of Sound, too frequently impress the Phrases, *Our Most Holy* or *Most Excellent Mother*, to leave Persons ignorant

rant of her being of the Feminine Gender.

But the Reproaches of her Adversaries are not restrain'd here, as appears by what is commonly urg'd by Them: They say, allowing her to be a Lady, she can by no Means be *Excellent* and *Holy*, inasmuch as she is acknowledg'd to have led a bad Life, and been so far from having Legitimate Heirs enjoying her Estate Regularly, that she has had several By-blows, run away with Strangers, and disown'd her Children born in Wedlock.

The Use they make of these Things, is farther plain; for they tell us, our Holy Mother has been long since deceas'd: And that, besides the Unlikeness of every Modern to the Original Matron, she is not now where pretended to be, they prove from what they call a Demonstration in the strictest Sense of the Word; which is this, that at present all Christian Countries affirm she lives there, and yet assert she is there only; so that unless this good Woman can be every where, and not every where, at the same Time, 'tis doubtful if these are not all Sham-Mothers, as all but One certainly must be. In-

## *The Dedication.*      vii

Indeed they don't seem to acknowledge it as their Opinion that the Fair Innocent who liv'd formerly, is now wholly dead; but rather, that she being disgusted with the Wickedness and Follies of her pretended Children, is retir'd into the Country, where free from the Pumps and Pageantry of the Great and Elevated, she lives a quiet, harmless, Rural Life.

I am by no means insensible that there are divers other offensive Opinions held, equally derogatory from the present glorious State of our Militant Mother; which for the present I omit, as exceeding my design'd Number of Paragraphs.

If you, Gentlemen, after having maturely weigh'd the Premises, shall find just Cause for the Complaints before-mention'd, I rest assur'd that in your Zeal and great Wisdom, You will not fail to enter upon some speedy and effectual Method to vindicate the Being and Honour of this Excellent Gentlewoman by roundly asserting Your selves to be Her, and that no other Persons whatsoever are, have, or can have, any Part or Share of her

I have chose to deliver my Representation of the Sentiments of these Persons, in many Words borrow'd from Your *Report*, because I do not hear any one of your Members has retracted his good Liking of it, and because Men are generally pleas'd with the Appearance of any thing of their own.

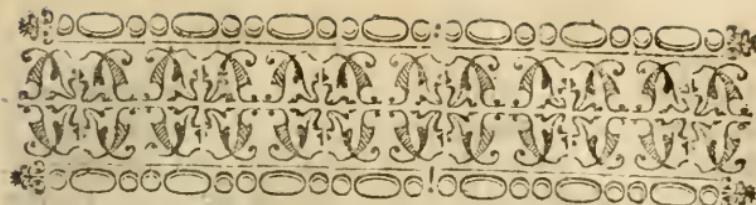
I will not detain you longer from the Book, which this accompanies, and hope you will not bear its Company the worse, tho' it should not so pleasingly make its Entrance as you could wish.

I am,

GENTLEMEN,

*Yours, &c.*





T H E

# Church-Anatomy.

---

S E C T. I.

*Of the Liturgy and Ceremonies.*

**T**O begin with the *Calendar*; we shall not insist on the Rule to find out *Easter*, which hath been sometimes found not to be true, because that does more concern the Clergy to look after, than any of us: But as to some of the Lessons appointed in it, they being design'd for our Edification, we hope we may have liberty to speak. What a *smutty* Story is that in the 6th, 7th and 8th Chapters of *Tobit*, appointed for the Lessons on the last Day of *September*, and the first of *August*, which is enough to make a Man laugh till he burst, as certainly as the Lumps of Pitch, Fat, and Hair did the Dragon, (another precious Story, which not being appointed formerly by our Church, was, by the *new Reformers*, on King *Charles* the II<sup>d</sup>'s Restoration, order'd to be read to us on the 23<sup>d</sup> of *November*.) The Business, in short, is this, *Tobias* luckily catch'd a certain Fish, that greedily snap'd at him, roasted it, and eat it; but by the Direction of the Angel, very carefully lays up the Heart, the Liver, and the Gall. Now an Ointment made out of this Gall was a notable Remedy against *Whiteneß* in the Eyes: If it were as good against *Dimneß* of the Sight

B

too,

too, we could wish for the Sake of a great many, we knew what sort of Fish this was: But a far greater Virtue lay in the Liver and the Heart, as *Tobias* afterwards found, when he came to the House of *Raguel*; for this *Raguel* had a bonny Girl to his Daughter, call'd *Sarah*, on whom, it seems, a certain spiteful Devil had clapt a sort of *Venetian* Padlock; so that, tho' seven young Fellows had successively marry'd her, yet none of them had been able to *consummate the Business*, but lost their own Lives the first Night they made any Offers that way. *Tobias* was deeply smitten with her, and not discourag'd for all this, in short, makes up the Bargain, and marries her: And just before he beds her, takes the aforesaid Heart and Liver of the Fish, and burns them upon the Coals, which made such a Perfume, that away scours the Devil into the utmost Parts of *Egypt*; and so *Tobias* and *Sarah* very comfortably enjoy each other. The Author of a Book, entituled *Vox Cleri*, had a peculiar Crotchet of own, of reading some Portions out of *Εὐαὶν Βασιλικὴ* in the Church, for the farther enlightning our Understanding: And why not the *Arcadian Prayer* in the same Book, for the farthering of our Devotions? To carry on the Humour, we humbly move that we may be instructed out of another Royal Paper, that the same Day, on which this Story out of *Tobit* is read to us, the other Lesson, to make them both of a Piece, may be the *Depositions about the pretended Prince of Wales*.

The *Gloria \* Patri* is some times said; for Instance, on the first Day of the Month, five Times at the end of

---

\* The frequent Repetition of this, is one of those Things which Archbishop Usher, Bishop Williams, Prideaux, and Brownrig, Dr. Ward, Fearly, and Hacker took Notice of, and would have consider'd whether it were fit to be amended. See the Copy of the Proceedings of these Divines,

of the *Psalms*, read for the Morning-Service; again, at the end of the Lord's Prayer after the Absolution; again, at the end of the 95th *Psalms*, *O come let sing*, &c. again, at the end of the *Benedicite*; again, at the end of *Benedictus*; and again, in the Litany; that is ten Times in the ordinary Morning-Service.

The *Lord's Prayer* is said once at the end of the *Absolution*; again, after the *Apostles Creed*; again, in the *Litany*; and again, in the beginning of the *Communion-Service*; and again, in the second Part of the *Communion-Service*; and again, in the *Pulpit* before Sermon: So that 'tis repeated five Times every Sunday Morning constantly, and six, if there be a Communion.

Nor to speak of the *Kyrie Eleesons*, nor of all the Congregations, even *Women* too, saying after the Minister with a loud Voice, nor of their alternate reading in the Verses in the *Psalms*, for which latter we don't find any Rubrick; all which seem to make such a confus'd Babbling, that we can hardly reconcile it to the Apostle's Discourse in the first Epistle to the *Corinthians*, and 14th Chapter.

*Good Lord deliver us* is repeated eight Times in the *Litany*; and *We beseech thee to hear us, good Lord*, no less than two and twenty Times in the same. We can't but on this Occasion sometimes reflect on that wise Doctor at *Oxford*, who when he met with a little good Way, was wont, after he had travel'd over it, to turn about his Horse, and say, 'Tis so good, let's go this over again. This hath a Semblance of those vain Repetitions forbidden by our Saviour; and when they reproach the *Dissenters* for their Tautologies in Prayer, they immediately flap us in the Mouth with this; and we profess sincerely, we are not able to reply upon them.

*Divines, touching Innovations, &c. and Consideration. &c. on the Common-Prayer-Book, p. 7.*

Most of the *Collects* have but *one* Petition in them. Were several of our short Prayers well digested into one, we humbly conceive it would be like the uniting of the little Sparkles of Heaven into a Constellation, that renders them the more conspicuous. And were the whole Service somewhat shortned, and so room left for free Prayer, and Encouragement given to it, we question not but our learn'd Clergy would immediately exceed any of the Dissenters in that way, and greatly edify us: For not to examine what hath been urg'd on both Sides, we will take the learned Dr. *Stillingsfleet's* Opinion for true, That this was an Invention of the Jesuits: yet we know they are cunning Fellows; 'tis a very popular Thing; it takes wonderfully; *Fas est & ab hoste doceri.*

We are of that Nobleman's \* Mind, who said, ' There may be too great a Restraint put on Men, ' whom God and Nature have distinguish'd from ' their Fellow-Labourers, by blessing them with a ' happier Talent; and by giving them not only ' good Sense, but a powerful Utterance too, have ' enabled them to gush out on the attentive Audi- ' tory, with a mighty Stream of devout and un- ' affected Eloquence: When a Man qualify'd, en- ' du'd with Learning too, and above that, adorn'd ' with a good Life, breaks out into a warm and ' well-order'd Prayer before his Sermon, it hath ' the Appearance of a Divine Rapture, he raiseth ' and leadeth the Hearts of the Assembly in another ' Manner, than the most compos'd, or best study'd ' Form of set Words can ever do; and the *Pray- ' yeers* would look like so many Statues, or Men of ' Straw, in the Pulpit, compar'd with those who ' speak with such a powerful Zeal, that Men are

---

\* Character of a Trimmer, by the Marquess of Hallifax, a Nobleman of our Church, p. 20.

tempted

‘tempted at the Moment to believe Heaven herself hath directed their Words to them.’

Herein we confess we don’t expect the Concurrency of those that would have all the publick Ministrations to consist in reading Liturgies and Homilies; and then, if God Almighty would but send a Man a good *pair of Eyes*, or in case he don’t that, a *Fescue*, and a *pair of Spectacles*, they might e’en keep the *Gifts of the Spirit* to themselves, for any Need that Clergyman may have of them.

We could wish, for the sake of the *Greek Churches*, that the severe Clauses in the *Athanasian Creed* were expung’d: For tho’ we believe all the Articles of Faith contain’d in it, yet we think it no more becomes us to *damn* Folks in the Church, and at Divine Service, than in the Streets, and in common Discourse.

We think it very odd, that *Te Deum*, *Benedicite*, the *Psalms* in Prose, and the three *Creeds*. should be appointed to be *sung* or *said*. The *Lessons* in the old *Common-Prayer-Book* were order’d to be *sung in a plain Tune*. That is reform’d, and they are now appointed to be read *distinctly with an audible Voice*. And is there not the same Reason for the other two? Were this *Canting Way* laid aside, we might then have the *Psalms* in the *new Translation*; for ’tis for the Sake of their being appointed to be *sung* or *said*; that tho’ in some Places it be *corrupt*, and in others hath several Verses that are not in the Original, but the *Septuagint* only, the *old* one is still retain’d.

We have known some Men that have risen from the Dunghil to a great Fortune, who have *hung up their Leathern Breeches* as a Monument of their former low Circumstances; but not that they us’d to *santer* and *trudg* up and down in them as *Ornaments*, when they had a pair of fresh Silk ones lying by them to put on.

We could wish those two *Rubrics* in the *Common-Service* were review’d; the first of which directs the Curate to *stand at the North Side* of the Table,

Table, when he saith the *Collect* and the *Lord's Prayer*; and the second, immediately after directs him to *turn to the People, and rehearse distinctly* all the *Ten Commandments*. We humbly conceive, did the Curate look the same way, when he reads the *Collect* and *Lord's Prayer*, as he doth when he reads the *Commandments*; or rather, were both of them read in the Desk, where the other Prayers are, especially in great Churches, we might then be able to hear him, which now many times we can't, and consequently are no more edify'd than by the Musick of the Spheres. When the *Lessons* are read, the Curate is order'd *so to stand and turn himself, as he may be best heard of all such as are present*. The Reason is the same in both Cases.

This we find reckon'd by those great Lights of our Church, formerly mention'd, among the Innovations, the reading *some part of the Morning Prayer at the Holy Table, when there is no Communion*. Nor can we be satisfy'd with what is usually said in defence of this Practice, That 'tis to put the People in mind, that they should celebrate the Communion every Sunday. In the Name of God, what need is there of such dumb Signs to instruct us in our Duty, which are so contrary to Edification, when we have so many excellent and learn'd Men, who can and ought to do it to much better purpose in their frequent, eloquent and pious Sermons out of the Pulpit? Must such Motions, as well as Pictures, be Laymens Books?

For our Childrens sake, we could wish that the Order of *Confirmation* were not made a Matter of mere Form and Ceremony; that it were carefully look'd to, not only that they be able to say the *Creed, Lord's Prayer, and Ten Commandments*, and to answer the Questions in the *Catechism*, but that they understand them too; to this End, that the *Rubrick*, which so rarely well enjoins the Curate diligently to catechise the younger sort, and then either to bring them, or at least send in writing, with his Hand

sub.

*subscribed thereunto, the Names of all such Persons in his Parish as he shall think fit to be presented to the Bishop to be confirm'd, may be reinforc'd and observ'd, that so those that are notoriously scandalous, or grossly ignorant what their Godfathers and Godmothers promis'd for them in Baptism, and which now with their own Mouth and Consent, they are openly before the Church to ratify and conform, may not be admitted to it.*

'Tis certainly no Fault in our Constitution, but there is a great one in those who do not act according to it, that admit many who have as little Understanding of the Baptismal-Covenant, when Hands are laid, as when Water was poured upon them: And we could wish some of our spiritual Fathers would shew us by what Warrant these Words were us'd in the Collect for that Service ----  
*On whom, after the Example of thy Holy Apostles, we have now laid our Hands [to certify them by the Sign of thy Favour, and gracious Goodness towards them.]*  
 And that they may be diligently compar'd with our Church's Definition of a Sacrament.

We could wish those Passages in the Burial of the Dead were review'd, *viz.* *Forasmuch as it hath pleased Almighty God to take to himself the Soul of our dear Brother here departed, &c.* We give thee hearty Thanks, for that it hath pleas'd thee to deliver this our Brother out of the Miseries of this sinful World. ----  
 That we may rest in him, (*viz.* Christ) as our Hope is this our Brother doth. We do not enquire how the Clergy can read this over all dead Men that are not either excommunicated, unbaptiz'd, or have not laid violent Hands on themselves; tho' we could wish Men, that are so charitable to the Dead, would be so to the Living too: But we too often accompany the Corpse of a drunken debauch'd Neighbour, who liv'd all his Days in the habitual Practice of many deadly Sins, and gave no Signs of Repentance that we could ever hear of; it may be the fatal Arrow struck through him while he was in the very Act of so foul a Sin. The Grave can-

not

not strike a colder Damp on our Bodies, than the Thoughts of this do on our Devotions; and we can no more say *Amen* on such Occasions, than the dead Man himself, on whose Funeral we attend. 'Tis true indeed we are told, that these Words do suppose the strict exercise of Discipline: But as long as we see no such Thing, 'tis an Hypothesis that gives us no Relief at all.

And seeing we are fallen on the *Discipline* of the Church, we do most humbly and earnestly beseech our spiritual Fathers and Guides, that they would at last try their utmost for the setting of it up, that we may not be told from Year to Year, as we are in our *Ash-Wednesday-Service*, that there *was* anciently in the Church a godly Discipline of putting notorious Sinners to open Penance, which we only *wish* were restor'd, but confess it is not. And we think that which our Church hath set up in the room of it, deserves a little Consideration, *viz.* The reading the general Sentences of God's cursing against impenitent Sinners out of *Deut. 27.* and other Places of Scripture, to which we are all requir'd to answer, and say, *Amen.*

Now, suppose any Man hath a near Relation that is Unmerciful, a Fornicator, an Adulterer, a covetous Person, an Idolater, Slanderer, Drunkard, for the Curse is pronounc'd against all these: Or suppose our King should be guilty of any of these Crimes, as some of them were within the Memory of Man; we should be loath to say *Amen*, or *so be it*, to such a Curse. We have often heard the Men of the *Scots Kirk* reproach'd severely for the excommunicating of Kings. A *David* may take another Man's Ewe-Lamb; and it would be well if a *Nathan* would bring him to a Sense of that horrible Sin by a Parable, and by a particular Application of a *Thou art the Man*. But for every one of us of the Laity to pronounce an *Amen*, to a solemn Curse denounc'd against all such Offenders, and them among the rest, tho' in the self-same Service, we Stile them *our most*

Re-

*Religious and Gracious ones*, and that in the Church too, don't look like the Reverence we have been taught to bear towards *crown'd Heads*. True indeed the *Israelites* did once pronounce several of these Curses, on Mount *Ebal*, with an *Amen*; but this was by virtue of an express Command from God; and this might be suitable enough to a *legal Spirit*, to the rough and sour Dispensation of the Law, but not to the calm, kind and peaceable *Institution of the Gospel*, which is soft and gentle, as the Wings of that Dove that lighted on the Head of him who was the Author of it.

Having consider'd the *Liturgy*, we proceed to take Notice of those *Rites and Ceremonies* of our Worship, which are in their own Nature indifferent and alterable. And this being confess'd on all Hands, we are all of us of the Mind, that there are many unanswerable Reasons for their utter Removal, and their being totally laid aside; such as are the Dangers and Hazards to which they have already expos'd our Church, the fatal Divisions, the unnatural and implacable Animosities they have occasion'd, and continue to foment; the Obligations that we lye under from the Commands and Examples of Christ and his Apostles, to yield in Things of so small moment to the invincible Scruples, and the earnest Importunities of our weaker Brethren, as well as many others that have been alledg'd and enforc'd by many learn'd Pens. We cannot tell how to excuse the Conduct of those Persons, who, notwithstanding all the Respect they owe to a gracious Prince, their Duties to God and their scrupulous Fellow-Christians, will evidently lay open both the Church and State to an unavoidable Ruin, rather than depart from the Imposition and Use of such Rites, no more than we could have justify'd St. *John the Baptist*, if he had fallen a Sacrifice to the Fury of *Herod*, merely because he would not administer Baptism without his *Raiment of Camels Hair*, and his *Leathern Girdle*. We cannot blame the Piety and Wisdom of our first Reformers,

who introduc'd and continu'd these, to avoid throwing the Nation, that was then over-run with Superstition, into great and deadly Convulsions; but these Reasons are now ceas'd, and very dismal Inconveniencies do attend their present Use: We do think it better to throw them by than retain them.

It was necessary, that when our Church first rose out of the Superstition, Darkness, and Idolatry, in which she had been so long bury'd, she should like *Lazarus* have some of the Grave-Cloaths about her; but if, out of some odd Humour, she should resolve still to wear them, she would appear not only unlovely, but ridiculous. But lest we should seem to push this Matter too far, we shall only say, That it is highly requisite that the Use of them should be left indifferent; that a strict Uniformity in these Rites is no longer necessary, provided there be an Agreement in all the Essentials of her Doctrine and Worship. And there are many Grounds that move us to insist on this; *viz.* That they are but trivial Things, and of no Moment; that they neither add any real Decency and Beauty to our Worship, nor render it more acceptable and pleasing to God; besides, there are many Persons in our Communion, who are weary of them; and many others who frequent our Churches, that do either despise or smile at our rigorous insisting upon them; for the Number of those addicted to them, is not very great, and the greatest Part of the Nation are such as are not over zealous, and fond of them, but might by the Method we offer, be more firmly fix'd to us. There is a Body of Men, who are still among us, and attend in our Churches, and at our Sacraments, who do think our present Contests about these Matters, to be much like that, which we about *London* saw manag'd between the Ladies and the *Mobile* about Topknots; the Rabble design'd to force them to lay them aside by Ballads, Pictures, and insolent Jeers; but that Sex, which uses to  
con-

conquer by their Charms, got the Victory then by Obstinacy and Resolution, and the poor Topknots out-liv'd their Fury. While we saw no Prejudices arise to the Nation, this afforded us a pleasant Diversion; but had the Dispute run so high as to endanger an universal Mutiny and Insurrection, we should have commended that Sex, if they had prudently thrown them off, and quitted the Field.

We do therefore judge, that such Things as these should no longer be impos'd as Terms of our Communion, and such as will not submit to them, may be esteem'd as genuine Sons of our Church, as those that do; that this is a Season wherein these latter should be allow'd as free an Access to our Altars and Fonts as the other, and that it is a Condescension which we owe not only to our Blessed Saviour, and those weak Disciples which he hath so tender a Concern for; but to the Safety and Honour of our Church, as well as her present Constitution.



## S E C T. II.

### *Of the Canons.*

WE shall confine these Remarks to a few of them. The first Canon enjoins the Maintaining the *King's Supremacy* over the Church of *England* in Causes Ecclesiastical. And as the Canon declares all Foreign Power (*forasmuch as the same has no Establishment by the Law of God*) to be justly taken away and abolish'd; so that Doctrine should in all Reason be disown'd and censur'd, which so many Divines of our Church have endeavour'd to defend and propagate in their publick Writings, viz. 'That the Church-Universal ought to be govern'd by the Decrees of General Councils; and during the In-

‘ rerral of such Councils, the only Way of Concord  
 ‘ is to obey the governing Part of the Universal  
 ‘ Church, *viz.* All the Bishops in one Regent Col-  
 ‘ lege, governing the whole Christian World, *per*  
 ‘ *litteras formatas.*’ Especially when, on pretence of  
 the easier Execution of these Universal Laws, some  
 of ‘em have been so liberal to his Holiness, as to  
 assign that Province to him of Patriarch of the West,  
 and the Centre of Unity to this Part of the Catho-  
 lick Church. And how much all the Fierceness of  
 Archbishops *Laud* and *Bramhall*, Dr. *Heylen*, Bishops  
*Morley*, *Gunning* and *Sparrow*, Dr. *Saywell*, Mr. *Dod-*  
*well*, &c. against all Dissenters at Home, and their  
 strange Chilness to the Reformed Churches Abroad,  
 is owing to a miserable Fondness for this Notion,  
 as the hopeful Ground of a Reconciliation between  
 the Church of *England* and the *French* Church; that  
 has cast off the Papal Infallibility, it were no diffi-  
 cult Task to shew, and were worthy the Observati-  
 on of any Historian that would give a true Account  
 of the Continuance and Increase of our deplorable  
 Divisions. And as we dislike this Notion, the more  
 when we consider the Purposes and Designs for  
 which ‘tis calculated, so we have this Argument to  
 urge why it should be disown’d, *viz.* Because it  
 plainly sets up a Foreign Jurisdiction, against which  
 the Nation is solemnly sworn.

The second Canon excommunicates, *ipso facto*, all  
 Impugners of the King’s Supremacy.

Against which, we think there is nothing can be  
 objected, but the Fault common to it with the  
 Ten following Canons, *viz.* Excommunicating, *ipso*  
*facto*, ----- of which more under these following  
 Canons.

*Can. 3.* ‘ Whosoever shall hereafter affirm, that  
 ‘ the Church of *England*, by Law establish’d, under  
 ‘ the King’s Majesty, is not a true and Apostolical  
 ‘ Church, teaching and maintaining the Doctrine  
 ‘ of the Apostles; let him be excommunicated, *ipso*  
 ‘ *facto*, and not restor’d but only by the Archbishop,  
 ‘ after

‘ after his Repentance, and publick Revocation of  
‘ such his wicked Error.

Can. 4. ‘ Whosoever shall hereafter affirm, that  
‘ the Form of God’s Worship in the Church of  
‘ England, establish’d by Law, and contain’d in the  
‘ Book of Common-Prayer and Administration of  
‘ Sacraments, is a corrupt, superstitious, or unlawful  
‘ Worship of God, or contains any thing in it re-  
‘ pugnant to the Scriptures; let him be excommu-  
‘ nicated, *ipso facto*.

Can. 5. ‘ Whosoever shall hereafter affirm, that  
‘ any of the XXXIX Articles, agreed upon by the  
‘ Archbishops and Bishops of both Provinces, and  
‘ the whole Clergy in the Convocation holden at  
‘ London 1562, &c. are in any part Superstitious or  
‘ Erroneous, or such as he may not with a good  
‘ Conscience subscribe unto; let him be excommu-  
‘ nicated, *ipso facto*.

Can. 6. ‘ Whosoever shall hereafter affirm, that  
‘ the Rites and Ceremonies of the Church of Eng-  
‘ land, by Law establish’d, are Wicked, Antichristi-  
‘ an, or Superstitious; or such as being command-  
‘ ed by lawful Authority, Men who are zealously  
‘ or godly affected, may not with a good Consci-  
‘ ence approve ’em, use ’em, or, as occasion requires,  
‘ subscribe to ’em; let him be excommunicated, *ipso*  
‘ *facto*.

Can. 7. ‘ Whosoever shall hereafter affirm, that  
‘ the Government of the Church of England, under  
‘ his Majesty, by Archbishops, Bishops, Deans, Arch-  
‘ deacons, and the rest that bear Office in the same,  
‘ is Antichristian, or repugnant to the Word of God;  
‘ let him be excommunicated, &c.

Can. 8. ‘ Whosoever shall hereafter affirm, or  
‘ teach, that the Form or Manner of making and  
‘ Consecrating Bishops, Priests, and Deacons, con-  
‘ tains any thing in it repugnant to the Word of  
‘ God, or that they who are made Bishops, &c. let  
‘ him be excommunicated, *ipso facto*.

Can. 9. 'Whosoever shall hereafter separate themselves from the Communion of Saints, as 'tis approved by the Apostles Rules in the Church of England, and combine themselves together in a new Brotherhood, &c. let him be excommunicated, *ipso facto*.

Can. 10. 'Whosoever shall hereafter affirm, that such Ministers as refuse to subscribe to the Form and Manner of God's Worship in the Church of England, prescrib'd in the Communion-Book, may truly take to them the Name of another Church, not establish'd by Law, and does presume to publish it, that this their pretended Church has of long time groan'd under the Burden of certain Grievances impos'd on it, and upon the Members thereof before mention'd, by the Church of England, and the Orders and Constitutions therein, by Law establish'd; let him be excommunicated, *ipso facto*.

Can. 11. 'Whosoever hereafter shall affirm, or maintain, that there are within this Realm other Meetings, Assemblies, or Congregations of the King's born Subjects, than such as by the Laws of this Land are held and allow'd, which may rightly challenge to themselves the Name of true and lawful Churches; let him be excommunicated, &c.

Can. 12. 'Whosoever shall hereafter affirm, that 'tis lawful for any sort of Ministers or Lay-Persons, or either of them, to join together, and make Rules, Orders, or Constitutions in Causes Ecclesiastical, without the King's Authority, and shall submit themselves to be rul'd and govern'd by them; let him be excommunicated, *ipso facto*.

*To these may be added,*

Can. 139. 'Whosoever shall hereafter affirm, that the sacred Synod of this Nation, in the Name of Christ, and by the King's Authority assembled, is not the true Church of England by Representation; let him be excommunicated, &c.

Can. 140.

*Can. 140.* ' Whosoever shall hereafter affirm, that  
' no Manner of Persons, either of the Clergy or Lai-  
' ty, not being themselves particularly assembled in  
' the said sacred Synod, are to be Subject to the  
' Decrees thereof, in Causes Ecclesiastical (made and  
' ratify'd by the King's Majest'y's Supreme Autho-  
' rity) as not having given their Voices to them;  
' let him be excommunicated, &c. '

*Can. 141.* ' Whosoever shall hereafter affirm,  
' that the sacred Synod assembled, as aforesaid, was  
' a Company of such Persons as did conspire toge-  
' ther against Godly and Religious Professors of the  
' Gospel, and that therefore both they, and their Pro-  
' ceedings, in making of Canons and Constitutions in  
' in Causes Ecclesiastical, by the King's Authority, as  
' aforesaid, ought to be despised and contemned, the  
' same being ratify'd by the same Regal Power; let  
' him be excommunicated, &c. '

We have often heard our Clergy mention, among many other Excellencies of our Church, its admirable Charity towards those that differ from it; and we have hitherto taken it for one of its just Characters. For tho' those that dissent from us, would frequently object the Severity of the Penal Laws, and the Rigor with which they have sometimes been executed, as if such heavy Fines, and long Imprisonments, look'd but like a cold and frozen sort of Charity; yet we thought it a sufficient Answer, that our Church did not countenance any of these Severities by its Doctrine. And therefore, how active soever some of our fiery Zealots (who were the Tools of another Party) might be in urging the Execution of them, this was their personal Fault, and not justly imputable to the Church it self. Tho' by the way, we cannot think it so ingenuous in some of our Clergy, to throw all the Blame of those severe Laws on the Parliament that enacted them, which many of themselves were but too earnest and importunate Solicitors of. But we are extremely surprized to read the foregoing Canons: and when we hear them

objected as an Evidence of the Uncharitableness of our Doctrine it self, we are at a great loss what to say in Defence of it: For we plainly perceive by them, that the Practice of our most violent Bigots in the Execution of Penal Laws has been as much more Charitable than these Canons of our Church, as 'tis more merciful to send the Bodies of Men into the Custody of the Jaylor, than to consign their Souls into the Paws of the Devil. Nay 'tis well that Writs *de Excom. cap.* have not been issued out against all whom these Canons excommunicate; for if they had, the whole Race of Dissenters had long since been both the Jaylor's and the Devil's Prisoners; and we are very much afraid, a great part of our own Clergy and Laity must have born them Company. So that we can foresee no better Apology for the Convocation that fram'd these Canons, than this, that they seem only to have design'd them for the old rusty Armor of our Church, to be hung up for Terror, rather than to be us'd for Execution. For it cannot be deny'd, that how little Charity soever those had that made them, our Bishops have generally since had more Christian Tenderness, than to prosecute all in their Courts, whom these Canons make so heinous Criminals. And therefore, were we of the Laity worthy to offer our humble Advice to a Convocation, we should recommend it to them, as a piece of necessary Prudence, as well as Charity, to cashier these ill-natur'd Canons: For they do but frighten the weak Dissenters the more from our Communion, and are a standing Reproach to our Church it self on these two Accounts.

1. Were the Assertions here censur'd never so dangerous Heresies, an *ipso facto* Excommunication is an unreasonable thing.

'Tis no better than passing Sentence on an Offender, before any Attempts are us'd to reclaim him; which is a gross Absurdity in Ecclesiastical Causes, where 'tis not the bare Offence subjects Men to  
that

that Censure of the Church, but Obstinacy in it. For these Canons, quite contrary to our Saviour and his Apostles Rule, make a Heathen and a *Publican* of our Brother before he is ever told of his Fault, they reject him before he be admonish'd. Whereas Divine Justice it self does not subject Men to the Sentence of Condemnation, merely for their Sins themselves, but for their Impenitency in them. And sure the Church should not use greater Severity, and therefore should not in these Censures ( which *Tertullian* call *summum futuri judicii praejudicium*) exclude Men from her Communion *ipso facto*, upon their having run into Errors or Crimes, but upon their persisting incorrigibly in them. And what *Lindwood* observes concerning such Canons as those does not wholly excuse them, namely, *That a declaratory Sentence of the Judge is necessary, notwithstanding the ipso facto Excommunication, to a Man's being avoided as an excommunicated Person to others.* For all that this can amount to, is no more than to say, that tho' a Man's *Mittimus* to the Devil is drawn up by these Canons, yet his Neighbours are not to take Notice of it till it be publish'd: But for all that, the Man is truly excommunicated; and that without any other precedent Admonition, than what the Canons themselves give him, which few of us ever read or see; no Personal Admonition being us'd to prevent his Excommunication, but only to restore him by Absolution. And if these Canons be just, all whom they Excommunicate are bound in Conscience to forbear the Church's Communion; and therefore we cannot, in Consistency with our selves, invite the Dissenters to it, unless we could either change their Minds, or at least put Gags into their Mouths. But were this all the Fault of these Canons, the Matter were more tolerable. But,

2. The Assertions themselves mentioned in the Canons can by no Means deserve so heavy a Censure.

For as Excommunication is the highest Censure of the Church (which according to the Form us'd in our own excludes the Person excommunicated from all Christian Society, and cuts him off as a dead Member from the Body of Christ) so it should never be us'd against any but those who are guilty of such pernicious Errors, or heinous Crimes, as give all imaginable Ground to believe them in a State of Damnation: such as those mention'd 1 *Cor.* 6. 9, 10. *Gal.* 5. 19, 20. 2 *Tim.* 3. 2, 3, &c. For otherwise we might shut those out of our Communion, whom our blessed Saviour receives into his; and dangerously cut off the living instead of the dead Members of his Mystical Body. Besides, nothing will sooner bring that sacred part of the Church's Discipline into Contempt, than the using it on slight and frivolous Occasions; as we shall farther shew afterwards, when we come to speak of Ecclesiastical Courts. 'Twas a grave and wise Caution of the Council of *Trent*, tho' they had not the Grace to follow it themselves, That tho' the Sword of Excommunication be the very Sinews of Ecclesiastical Discipline, and very wholesome to keep the People in Obedience, yet it should be warily us'd, lest if it be drawn out rashly on every slight Cause, the People should rather despise than dread it. For if Clergymen will so far trifle with those Solemn Censures as to thunder out Excommunications against all that keep *Easter* the *wrong Day*, or maintain *Antipedes*, or wear *Beards* of a *wrong Cut*, &c. as some wise and learned Popes have formerly done; 'tis no wonder if Men come to look upon them as Ecclesiastical Scare-crows; and provided they can scape the Jaylor, set the Bishops at Defiance. And tho' the Assertions censur'd in these Canons be not altogether such Trifles, yet they are some of them Things too dubious to Men of mean Capacities, that have a fatal Bias of an unhappy Education clasp'd on their Understandings; and of too small Consequence to bear the Weight of so heavy a Doom. For what tho' the Dissenter should

ar-

arraign the Office of Burial read over the Graves of all the notorious Villains that have the good Fortune to escape, or buy off an Excommunication; or censure the Use of our Godfathers as exclusive of the Parents Publick Undertaking for the religious Education of his own Child? What tho' they foolishly mistake the Sign of the Cross for a new Sacrament? What tho' they dispute against the Passage in the Book of Ordination, that asserts the Divine Right of three distinct Offices, Bishops, Priests, and Deacons? What tho' they be more peevish and untoward, and censure the very Office of our Bishops, as they are by the Alterations in the Book of Ordination, made the sole Pastors of all the Churches in several Dioceses? Nay, what tho' they affirm their own Congregations to be *true and lawful Churches*? Shall we on the score of their declaring their mistaken Opinion in any one of these disputable Matters, treat them as if they had deny'd all the Articles of the Apostles Creed, or broken all the *Ten Commandments*? Nor are the Dissenters the only Persons concern'd in these Canons. There are few of our *Latitudinarian* Clergy (as some are pleas'd to call all that have not as narrow Souls as their own) but will freely in their Discourses censure some things in the Government of our Church, particularly the Lay-Chancellor's Power of decreeing Excommunications. And all these must expect no Quarter from the *7th Canon*. So that these Canons will quickly retrench the *Corpulency* of our Church, and reduce it to the small Number of *Bigots*, who it seems are not so ridiculous as they seem'd to be, in monopolizing the Character of her *true Sons* to themselves. And yet even of the Bigots, there are so many that frequently arraign some of our Articles in the Pulpit it self (particularly the *17th* about the Doctrine of Election,) that we see not how they will escape the *5th Canon*. And if we were not afraid of being sent to the Devil for Company, by virtue of *139. Can.* we would make bold to Question the *Convocation's being the*

*Church of England by Representation.* 'Tis strange how they should represent us of the Laity, who never chose or deputed them. 'Tis much stranger how they should represent the King and and Parliament (who I hope are a very excellent Part of our Church) for if they do, we see not what Occasion there can be to interpose their Authority a new to give force to their Canons. They can at most, only represent the Clergy of our Church, and are indeed no more than the King's and Parliaments Ecclesiastical Council, to advise 'em what Laws relating to the Church they shall enact by their Authority *circa sacra*. For all their Canons would never bind our Consciences as the Laws of the Church, if the Civil Authority made them not the Laws of the Land. To sum up this Head; why should we think our Convocation so Infallible, and the Constitutions of our Church so absolutely Perfect, that a Man cannot find the least Fault with any of them, under a less Penalty than being cut off as a dead Member from the Body of Christ? This is as inexcusable a Rigor, as if our Parliament should make it no less than Banishment for any Subject to dispute the Equity of the least Clause in the whole Book of Statutes, so that if the Convocation think fit to keep up these Canons still, it were very great Charity to clap Padlocks on the Tongues of the People, to prevent their running into the Devil's Clutches, by prating too freely against the Orders of our Church. And perhaps it was the sagacious Foresight of such Complaints as these, made that wise Convocation, by way of Prevention, Excommunicate among the rest, all that should affirm 'em to be a *Company of Men that conspired against godly and religious Professors of the Gospel*; or assert, That their Canons should be *despised or rejected*: Only they were careful to twist in the King's Authority with their own, that he who slighted the *Convocation* might be thought to trample on the *Crown*.

SECT. III.

Of Corruptions, in the Ecclesiastical Courts.

AND here we do most humbly desire that the Reverend Guides of our Church will patiently hear us, and especially those of that *Venerable and truly Apostolical Order*: And if any Expressions should drop from us, that may seem inconsistent with that filial Duty we owe to 'em, we desire it may be imputed to our great Zeal for 'em; and we shall as submissively fall on our Knees to beg their Pardon, as we would do on any other Occasion to implore their Blessing. *Many of the old Corruptions* (said a late Reverend Father \* in God) *do yet remain among us in Practice, and the Administration of the Ecclesiastical Authority is liable to great Objections. I will not run out in farther Particulars, for it will be easy to find 'em; and if you once set about it, you will soon see what Work is before you.*

We shall confine our Discourse chiefly to the high and dreadful Sentence of *Excommunication*, for so it is in self, and was always so esteem'd by devout Souls, till the great and scandalous Abuses and Corruptions of it in these latter Days have made it so contemptible, that Sinners do no more value it than Men do the threatening Predictions of a common Almanack-maker concerning Thunder and Lightning. We have many Things to offer, under these following Heads.

1. The Persons that manage it.
2. The Causes for which it is inflicted.
3. The manner of Proceeding in our Ecclesiastical Courts.

---

\* Dr. Burnet's Thanksgiving Sermon before the House of Commons, Jan. 31, 1689.

4. The Things that ensue on the Sentence of Excommunication.

1. The Persons that manage it. And into whose Hands would a Man rationally expect the Keys should be put, but theirs to whom Christ and his Apostles have given them, and where the Primitive Church left them? Who should judge spiritual Matters, but spiritual Men? Who should correct the Children, but their Fathers, and discipline Souls, but they that have the Care of them, and watch over them, as those that must give an Account? They that so justly claim the Power of Ordination, why should they not have that of Excommunication, and *deliver up to Satan*, as well as *give the Holy Ghost*? What is it that can reasonably be suppos'd to hinder our Réverend Bishops from minding so great and necessary a Part of their Office? Is it their great Diligence in Preaching? 'Tis true, this our Church doth strictly tye them unto. The (a) Epistle, or that (b) which is appointed for it, and the (c) Gospel read at their Consecration, puts them in Mind of it: Nay, they formally promote it; for these are two of the Questions propounded to them by the Archbishop----- (d) *Are you determin'd, out of the Holy Scriptures, to instruct the People committed to your Charge? ----- Will you then faithfully exercise your self in the same Holy Scriptures, and call upon God by Prayer for the true Understanding of the same, so as you may be able by them to teach and exhort by whole-*

---

(a) 1 Tim. 3. *Apt to Teach.* (b) Acts 20. 17. ---- *Have Taught you publickly, and from House to House; take heed therefore to your selves, and to all the Flock over which the Holy Ghost hath made you Overseers, to feed the Church of God, &c.* (c) St. John 21. *Jesus saith to Peter, Lovest thou me more than these? ---- Feed my Lambs, ----- Feed my Sheep, &c.* Matt. 28. 18. *Go and Teach all Nations, &c.* (d) See the Form of the Consecration of Bishops.

*some*

*some Doctrine, and to withstand and convince the Gain-sayers? To which the Bishop answers, (e) I am so determin'd by God's Grace: and, I will do so by the Help of God. And the Practice of some of our Reverend Fathers does convincingly shew they are no Strangers to God's Grace or Help, in this particular. But will Diligence in one Duty excuse the Neglect of another? Both not our Church pray Almighty God to (f) give to all Bishops, the Pastors of his Church, that they may duly administer godly Discipline, as well as diligently preach the Word? And, that they may faithfully serve Almighty God in this Office, to the Glory of his Name, and (g) the edifying and well-governing of his Church? And farther, That they may be not only evermore ready to spread abroad the Gospel, but also (h) use the Authority given them, not to Destruction, but to Salvation?*

And doth not the Bishop solemnly promise to correct and punish, according to such Authority as he hath by God's Word, as well as to such as shall be committed to him by the Ordinance of this Realm? And the Archbishop charges him, when he delivers him the Bible, not only to take heed to Doctrine, but how he ministers Discipline too.

We can't think, after all this, that they do voluntarily neglect so essential a Branch of their Episcopal Office, as governing the Church. Ruling and Discipline is their Duty, according to God's Word; and if any Ordinance of this Realm hinder them from the

(e) See to the same Purpose, the Collect immediately following *Veni Creator Spiritus*; and the Charge of the Archbishop to the Bishop, when he delivers him the Bible; and the first of the three last Prayers said for the Collect immediately before the Benediction. (f) See the first Collect in the Consecration of Bishops. (g) See the Collect in the Consecration said next after the Litany. (h) See the Collect after *Veni Creator*.

Discharge of a Duty *God's Word* hath laid on them; we think, if they should patiently bear it, they would give but a sad Account in that Day, when the *Great Bishop* shall appear, when *Pulton's* or *Keeble's* Statutes are none of those *Books* that shall then be open'd.

We are sure, that this Work is a Thing of the highest Trust and Authority, and wherein the greatest Skill and Tenderneſs is requiſite; and therefore we think it ſhould be *perſonally* diſcharg'd, and can't lawfully be deputed to another. For, as the Lord Bacon \* hath obſerv'd ' We ſee in all Laws in the ' World, Offices of Confidence and Skill cannot be ' be put over, or exercis'd by Deputy, except it be ' eſpecially contain'd in the original Grant; never ' did any Chancellor of *England*, or Judge in any ' Court, make a Deputy----- ſurely *ab initio non fuiſt ita*; but 'tis probable that Biſhops, when they gave ' themſelves too much to the Glory of the World; ' and became Grandees in Kingdoms, and great ' Counſellors to Princes, then did they deſeigne ' their proper Jurisdiction, as Things of too inferior ' a Nature for their Greatneſs; and then, after the ' Similitude and Imitation of Kings and Counts ' Palatine, they would have their Chancellors and ' Judges.

'Tis, ſaith Biſhop Bedel † in his *Defence*, one of the moſt eſſential Parts of a Biſhop's Duty, to govern his Flock, and to inflict the Spiritual Cenſures on obſtinate Offenders. A Biſhop can no more delegate this Power to a Layman, than he can delegate a Power to Baptize or Ordain, ſince Excommunication and other Cenſures are a ſuſpending the Rights of Baptiſm and Orders; and therefore the judging of theſe Things can belong

\* *Conſiderations for the better Eſtabliſhment of the Church of England*, p. 10.

† *His Life*, p. 92.

‘ only to him that had the Power to give them ;  
 ‘ and the delegating that Power is a Thing null of  
 ‘ it self. It was ever look’d on as a necessary Part  
 ‘ of the Bishop’s Dury, to examine and censure the  
 ‘ Scandals of his Clergy, and Laity, in ancient and  
 ‘ modern Times.’ And much more may be found  
 to the same Purpose in his Life.

But if this sacred Work must be put off to others,  
 were it committed to the Hands of any of our Cler-  
 gy, tho’ never so mean, we could bear it, out of  
 that profound Reverence we have for their Gown  
 and Character, as we doff our Hats in a mean Coun-  
 try- Church, that looks little better than a Pigeon-  
 House, as well as in a Cathedral, for the Sake of  
 that God to whom the one is consecrated as well as  
 the other. But we have hardly any Patience left us,  
 when we consider, that the Clergy, both Superior  
 and Inferior, stand for Cyphers, and the whole  
 Power of Excommunication is lodg’d in Laymens  
 Hands ; for such are Chancellors, Officials, Commis-  
 saries, &c. ’Tis a greater piece of *Sacrilege* for  
 these Thieves to steal and run away with the *Keys*  
 of the Church, than for any to carry off the *Commun-  
 ion Plate*, godly Discipline being a much richer  
 Treasure than a golden Chalice. We have justly  
 derided the *Presbyterians*, for their compound Assem-  
 blies, where the Minister and the Lay-Elder sit  
 cheek by jowl, intermingled, like a Man and a Wo-  
 man at a *Dutch Feast*: But that *Hotch-potch Miscellany*  
 is more tolerable than this Constitution of ours, where-  
 by the whole Clergy being excluded, the Lay-  
 Chancellor alone sits to remit Sins, or retain them ;  
 Men that we are sure have no Commission from the  
 blessed Jesus, or his holy Apostles, and have no Pow-  
 er to deliver up any Souls to Satan, unless it be  
 their own. ’Tis true indeed, they have a Patent  
 for it, and that sometimes given to gratify a Friend,  
 sometimes perhaps purchas’d with a round Sum of  
 Money, whereby the present Bishops pass away this  
 their Power from themselves and their Successors

too; and so they are render'd incapable of correcting their Extravagances and Corruptions, even tho' they are committed in their Names, and by Virtue of an Authority deriv'd from them: Whereupon our Reverend Fathers bear the Blame, and these Varlets reap the Advantage of their unjust Proceedings. Nay, to that degree of Insolence do they proceed, as sometimes to hector them if they offer but to interpose, to stop, or to rectify any of their illegal and oppressive Acts. Of this we have an Instance given us by the Author of the *Naked Truth*; I don't mean the blustering *Hickeringill*, but, as is commonly believ'd, a grave and excellent Prelate of our Church. 'I remember (saith he) when the Bishop of *Wells* hearing of a Cause corruptly managed, and coming into the Court to rectify it, the Chancellor, Dr. *Duke*, fairly and mannerly bid him be gone, for he had no Power there to act any thing; and therewithal pulls out his Patent, seal'd by the Bishop's Predecessor, which, like *Perseus's* Shield with the *Gorgon's* Head, frighted the poor Bishop out of the Court.'

Another remarkable Story of this Nature we have in the Life of Bishop *Bedel*: He saw, and his Soul was griev'd at the barefac'd Extortions, and Briberies, and Commutations of Penance, and vexatious Suits, &c. in the Chancellor, that had bought his Place from his Predecessor, and the Prostitution of Excommunications in a sordid and base Manner. To correct these Abuses he goes, and with a competent Number of his Clergy, sits and hears Causes, and gives Sentence. But his Lay-Chancellor brought a Suit against him in *Chancery* for invading his Office; and tho' the other Bishops stood by him, saying, *They were but half Bishops, till they recover'd their Authority out of the Hands of their Chancellor*; and tho' his Chancellor's Patent were a formless Chaos of Authority conferr'd on him, against all Reason and Equity, wherein was false Latin, Nonsense, Injustice, Prejudice to the Chapter, Contrariety to it self and the King's Grant

to the Bishop, and the Seal hanging to it none of the Bishop his Predecessor's Seal; yet the Chancellor's Right was confirm'd, and there was given him an Hundred Pound Costs of the Bishop. And great Endeavours were us'd to possess Archbishop *Usher* himself against him; which went so far as to procure an Inhibition and Citation against him out of his Court. All his Brethren forsook him, even the Primate himself, tho' the last that did so; yet Almighty God so remarkably prosper'd the Zeal of this holy Man, that he was conniv'd at, and held on undisturb'd in personally attending his Episcopal Court. God give to our *English* Bishops the like Courage and Success.

Thus the *Rocks* give check to the King, and the Lay-Chancellor in the Court proves too hard for the Bishop, as the Devil in the Sign of a *Tavern* doth for the Saint, *Dunstan* we mean.

But as tho' this were not enough, Matters yet are a great deal worse: For not only doth an Appeal lye to the Court of *Delegates*, of which we shall say nothing because 'tis his Majesty's; but there is also the Archbishop's Court of (a) *Arches*, where any Ecclesiastical Suits between any Persons within the Province of *Canterbury*, except some peculiar (b) Jurisdiction belonging to the King's Majesty, may, waving all inferior Courts, be decided. The Official may take Cognizance of all Ecclesiastical Causes whatsoever, not only at the Instance of Parties, but also of his mere Office, or when they are promoted; as also all manner of Appeals (except as before excepted) from any Bishops, Deans and Chapters, &c. Archdeacons, their Officials and Commissaries, or other Ecclesiastical Judges whatsoever; as also all Commissaries of the Archbishop of *Canterbury*, whether particular or special, within all or any Diocess of his Province.

---

(a) Chamberlain's *Present State of Great Britain*.  
 (b) *Confer's Practice of Ecclesiastical Courts*.

This Court is kept in the Archbishop's Name by his Official, who is the Judge of it, call'd also *Dean of the Arches*, a perfect *Layman*, usually a Knight, and Doctor of Laws. But he being for the most part absent, substitutes a *Surrogate* in his Place (who is the Archbishop's *Man's Man*) viz. The Dean of the Deanry of the Arches:

And there doth this Judge *Perkin* sit in State; and according to the old *Mumpsimus* of the Pope's Canon-Law *alone*, without any Assessors, hears and determines all Causes, without any Jury of Twelve Men, as is necessary in Common-Law Courts, and presumes to Sentence not only us Laymen, but the Clergymen also, and even Bishops themselves, for any Delinquency.

And as the Official treats our Superiors in the Arches, so doth the Lay-Chancellor handle us, and the inferior Clergy in the Bishop's Court, held in the Cathedral of his Diocese. Only when any do not appear, being legally cited and propounded conrumacious, and decreed Excommunicate, then the Plaintiff's Proctor offers a Schedule of Excommunication to the Judge, who reads it (*a*) *if he be in holy Orders*, (for you know a special Care must be taken of that) and if not, then it is given to one who is in holy Orders, who is constituted to this Purpose by the Judge. *Good God!* (saith the foremention'd Author of *Naked Truth*) *what a horrid Abuse is this of the Divine Authority! This notorious Transgression is excus'd, as they think by this, that a Minister, call'd the Bishop's Surrogate, but is indeed the Chancellor's Servant, chosen, call'd, and plac'd there by him to be Cryer in the Court, (no better) when he hath examin'd, heard, and sentenc'd the Cause, then the Minister, forsooth, pronounces the Sentence.* Then the Judge's Seal being clapt to them, away the Letters of Excommunication are posted to the Rector, Vicar, or Curate of the Parish, with

---

(a) Conset's *Practice of the Spiritual Courts*, p. 36.  
Orders

Orders to publish the same in time of Divine Service, on some Sunday or Holy-day; always provided these Letters of Excommunication be delivered to the Rector, &c. at least that *same Day* on which they are to be read, before Morning or Evening Prayers, that they may be sure to have timely Notice of it, saith our (a) Author; which they are to publish without delay, unless they are willing to undergo the Fate of the Miller's Man who was hang'd for his Master; for if they neglect so to do, they are to be punish'd by Suspension from their Office: For, unless at his own Peril, the Parish Minister must no more examine the Equity and Justice of the Sentence than a *Hangman* does, but must do his Office tho' to the best Liver in his Parish, be the Cause what it will, how unjust soever the Sentence is, or how illegally soever obtain'd. He must give Fire when the Word of Command is given; tho' he, good Man! knew nothing of the Matter, yet denounce the Excommunication he must, and give the rest of the People Warning that they avoid the Company of such a one; just as the two nimble Iron Sparks on the outside of St. *Dunstan's* Church, when moved by the Wires within, briskly turn about, and give a *Thump* on the Bell, that all may know what quarter of the Hour it is.

2. But to proceed from Persons to Things. This we suppose no sober Man will deny, that Excommunication being a Punishment of an immediate Divine Original, Men should have a Divine Warrant in what Cases to inflict it. And being so severe a Punishment, no less than cutting off from the Body of Christ, and shutting out of the Kingdom of Heaven, as well as the Society of Christians on Earth, it should not be inflicted but for those black Crimes, and deadly Sins, and those obstinately persisted in too, for which the Holy Jesus hath declar'd, that

---

(a) *Conser's Practice of Spiritual Courts*, p. 38.

Men do deserve that Amputation from Heaven, that so what is bound here below, may be bound above. And this being the Church's expulsive Faculty for the casting out of noxious Humours, her Weapon for the cutting off *rotten* and *scandalous* Members, should be us'd to that End only, as we find in the *New Testament*, and many Centuries after it was, in the Case of Heresy or detestable Enormities, accompany'd with Contumacy. Now such Sinners swarm among us; we have such Crouds of Adulterers, Drunkards, Swearers, Blasphemers, &c. that some of the Sons of our Church say, by way of Excuse for the neglect of Discipline, it would not be prudent or safe to attack them. How few of these do our Ecclesiastical Courts take Notice of? In *David's* Time, the *Sparrows* were allow'd a Place near God's Altar, in our Days whole Herds of *Swine* have the same Privilege, and no one will or dare to drive them out. But if a Man trip in a *Ceremony*; if an honest, but simple Dissenter will not come to the Sacrament, because tho' weakly, yet it may be conscientiously, he scruples Kneeling; or will not thro' Obstinacy pay the Parson his Dues; or if the Governors of the State have a Political Design to carry on, out comes the sacred two-edg'd Sword immediately, and they are cut off by Dozens. We have known a Minister of our Church suspended for not burying a Corps in his Surplice when the Surrogate bid him do it at the Grave: and a well-meaning, but stubborn Fanatick, sent to the Devil as an *Easter-Offering*, because he would not give his Parson One and two Pence halfpenny, and the obstinate Fool lay by it on a *Capias* in the Jail for several Years.

But it were well if the *Ecclesiastical Courts* did let fly only on these Occasions. For the neglect of a religious Ceremony may by some be call'd a *mortal Sin*, and not paying the Minister's Dues is a *Fundamental Point*, and a piece of Sacrilege.

But the Matter doth not stop here. For the Spiritual Courts \* have got to themselves the Cognizance of a Multitude of Temporal Causes, viz. all Testamentary Matters, Matrimonial Causes, (and these are numerous, for the *Subject is fruitful*) Jactitation of Matrimony, Divorces, Bastardy, &c. Defamations, Violence to a Clergyman, Rights of Patronage, double *Quereles*, Wages for a Curate or Clerk, Interest and Title to a Benefice, Maintenance in it, such as Tythes of all Kinds, Oblations, Obventions, Pensions, Mortuaries, Church-yard, &c. the Dues of a Parishioner to the Church, as to Reparations, Seats, Bells, buying of Books, Utenfils, or other Ornaments; not building a Church enjoyn'd by a Testator, not keeping a Church in a comely sort, or when a Church Warden refuses to yield an Account of the Church Stock; violating a Sequestration for Tythes not paid; hindering to gather or carry Tythes; Money promised for redeeming Corporal Penance, and detain'd; Fighting or Brawling in a Church-yard, (I suppose, lest the Dead should be disturb'd and hinder'd of their Rest.) And then all Duties arising at first in the Exercise of *Voluntary Jurisdiction*, and yet by denial made *litigious*; such be real Compositions sought by some Party to be disannull'd, Procurations, Pensions, Synodals, Penrecostals, Indemnities, Fees for Probates, &c. or (which they to be sure will not forget, and therefore neither will we) *Fees* growing due, only upon Exercise of *litigious Jurisdiction*, and those either due to the *Judge* himself, as Fees of Citation, Fees of Sentences, &c. or due to other Attendants in the Court, as Fees of Advocates, Proctors, Registers, Apparitors, &c. Lord! What a blessed Regiment of Causes is here, like that of the *Black Guard* for Spiritual Courts! Well, but tho' most of these one would think were Civil Causes, and fit therefore

---

\* See Cousin's *Apology*. p. 18, 19.

for Civil Courts ; yet let them come before the Spiritual Ones, if they please, as long as a *Layman* is the Judge of them. All that we stand on is this, they summon People to answer on all these Cases, and make Decrees ; and if any one do not appear, or do not obey their Decree, or not answer their Interrogatories, they are Judg'd *contumacious to the Church* ; and then there is *Death in the Pot*, and they have no other way to punish but by Excommunication. So that an honest Man is frequently smitten with the Church's Thunder, for Matters of mere Civil Right, or trivial Occasions ; or it may be through the Tricks and Quirks of inferior Offices, or sometimes through the Ignorance of a blundering Surrogate, for the sake of a little Money.

Let us hear my Lord *Bacon's* Opinion of this Matter ? ' Excommunication is the greatest Judgment  
' upon Earth, &c. and therefore for this to be us'd  
' irreverently, and to be made an ordinary Process  
' to lacquey up and down for Fees, how can it be  
' without Derogation from God's Honour, and making  
' the Power of the Keys contemptible ? I know  
' very well the Defence thereof, which hath no  
' great Force, That it issues forth, not for the Thing  
' it self, but the Contumacy. ----- But the Contumacy  
' must be such as the Parry, as far as the Eye  
' and Wisdom of the Church can discern, standeth  
' in a State of Reprobation and Damnation, as one  
' that for that time seemeth given over to final  
' Impenitence.

To this I think we may add their Device of excommunicating *whole Communities* of Men, as a Dean and Chapter, or a Master, Fellows and Scholars of a College, the Mayor and Aldermen of a Town, &c. Hereby they have in some Measure that Emperor's Wish, that the People had but one Neck, that he might chop it off at one Blow. By this Interdict are prohibited all Divine Offices, as Divine Service, Christian Burial, Administration of Sacraments, &c. in such a Place, or to such a People. And if it be  
against

against a *People*; it follows them wheresoever they go; if against a *Place* only, then the *People* of that *Place* may go to *Divine Offices* elsewhere: Only the *Pope's Canon-Law* adds (a) That some who are in a special Manner privileg'd by the *Roman Church*; when a whole *Country* is interdicted, may celebrate *Divine Offices* with a low Voice; but then the *Doors* must be shut, the *Bells* must not be rung, and all the excommunicated and interdicted *Persons* must be excluded.

By this Contrivance whole *Communities* of *Men* may be broken off from the *Body of Christ*, as whole *Countries* have been, and some say *Britain* in particular, from the *Continent* by the *Fury and Violence* of the *Ocean*. But it will be hard to reconcile this to the *Common Notion* of *Excommunication*, that 'tis (a) *precurfory Judgment of Christ in the End of the World*; When we have been so often told from the *Pulpit* and *Press*, that then *Societies* shall not be punish'd as *Societies*, but every *Man* shall personally answer for himself.

3. We pass on to the *Manner* of proceeding in *Excommunications*, which we shall find exactly suitable to the *Causes* for which they are inflicted, and the *Tools* that manage this *Weapon*: For here is no *Pains* taken with *Men* to bring them to *Repentance* by *Scripture* and *Reason*, convincing them of the heinous *Nature* of their *Offences*, and beseeching of them in the *Bowels* of *Christ*; only a bare pronouncing the *Words*, *I admonish you*, three times in a *Breath*; like the *Jews* whipping *St. Paul* with a triple *Cord*, and giving three *Lashes* in one. We had thought this had been a mere *Corruption* in the *Officers*: But we find one of their own *Tribe* tells us the *Law*, That a

---

(a) *Decret. Greg. l. 5. Tit. 40. de Verb. signif. c. 17.*

(b) *Lord Bacon's Considerat. p. 21.*

(a) Man may be admonish'd a first; a second and a third time, all at one and the same Moment. Things are manag'd at these Spiritual Tribunals just as they are at Civil Ones: If you will not buckle, there is no other means us'd to induce you to it, but the Charges of the Court, the trouble of dancing Attendance on it; and by and by out comes the *two-banded Rod and Bloody Pail* to fright the stubborn Children into Obedience.

And these Fees of the Court sometimes are very terrible Things, and touch a Man to the quick. As the Reckoning is inflam'd by a rough Vintner, when his Guests are so with liberal drinking, by scoring up two Bottles for one at the Bar; so they know how to take the advantage of the Ignorance of those they have got into their Clutches, and top upon them double the Rates of what is by Law allow'd. I find one of themselves confessing this in sundry Instances in the Courts of the Archbishop of *York*, as to Testamentary Matters, and acknowledging the same in general as to other Fees, for Copies of Acts, Depositions of Witnesses, Fees to Apparators, &c.

Take one Instance: (b) 'To a Judge for an Administration (where the Estate is above 40 l.) 7 s. 6 d. which Advance from 2 s. 6 d. (for that was the old price according to the Table allow'd of in 13 *Elix.*) 'was, as I have heard, says he, in compassion to one of the Commissioners of the late Archbishop his necessitous Condition, agreed by all the Proctors and other Officers to be impos'd on the Country.' Whether this Commissary be dead or no, I know not, but till the Year 1685, this way of raising Money on the Country without Act of Parliament, did continue in this, and in many other

(a) *Conset. Practice of Eccl. Courts.* 383, 384.

(b) *Conset. Practice of Eccl. Courts,* p. 422, 423.

Instances there enumerated by him, and I suppose doth so still: By the same Reason that the late *French* King impos'd Taxes on his Slaves in time of Peace, because he had Authority given him once to do it in Cases of Necessity, while the Kingdom was in a Flame. And tho' he had had a *Law* to do so, which these Harpies never had, yet the forementioned Author gives a Substantial Reason for the Thing that may supply the Place of it: ' For saith he, speaking of the Registers, the Reason of Augmentation to them is, because they pay great Fines to the Archbishops for their Places (*and he that buys the Devil must sell him*) and do again let them for a Term of Years to Deputies for great Fines; which Deputies have no ways to raise their Money but by this Manner of Advance or Exaction upon the Country.' Now I think the same Argument is altogether as strong for the *Surrogate*, who is the Chancellor's Deputy; for Chancellors and Officials have learnt the Art of making their Places *Sinecures*, committing them to the Management of those Journey-men, who are many times wretchedly ignorant, and so are often imposed on by the Inferior Officers, by whose Direction all Matters are dispatch'd (as the Clerk manages the Justice) and they to be sure will turn the Water into such a Channel, that it may most effectually drive their own Mills.

But supposing none of these *Blunders* or *Knaveries* to be committed, lets a little examine the regular and ordinary Proceedings. And in order thereunto, we must consider there are two sorts of Causes, *Plenary*, *i. e.* such as require a solemn Order and Method; and *Summary*, where that being wav'd, a proceeding by a shorter Cut will serve the Turn. Now what Causes in particular fall under each of these Heads, is kept very dubious for a very *profitable* Reason, *viz.* this, Tho' the Cause be *Summary*, yet you may proceed *Plenarily*; and 'tis the more valid, and the Officers of the Court can the

better lick their Fingers. But if the Cause should be judg'd to be a *plenary* one, and you should proceed *summarily*, then all the Proceedings are immediately null, you lose your Charges, and the Proctor gets; and the Pigeon-house of Cards being pull'd down, the Child must begin all again.

Now in *plenary* Causes out goes a *Citation*, either general or special, obtain'd by the Plaintiff, his Solicitor, or Proctor, drawn by the Proctor, Solicitor, or Apparitor in writing, and seal'd by the Judge. Then the Mandatory, or the Plaintiff, certifies the Manner in which the Defendant was cited, that so the Plaintiff's Proctor may draw an authentick Certificate thereupon, to which an authentick Seal is put, at the special Instigation and Request of the Mandatory.

Then you must have a Proctor, either *general* or *special*, to manage the Cause: For no Citation, tho' executed, can be brought into Court but by him; he must be constituted by *Proxy*, *i. e.* by a Power or Mandate given to the Proctor by his Client, to appear and transact for him, or before a Notary Publick, with Witnesses, and this authentically seal'd too: And the Election of your Proctor must be inserted in the Acts of the Court; if he die after the Suit is contested, the Mandate is absolutely revok'd. Then supposing they have not got you on the Hip for some Error as yet, however there be abundance of Blots yet to be hit. Many Exceptions may be brought in, *peremptory ones*, either simply such, or defensive; or *dilatory ones*, and these are two-fold, *Dilatoria Solutionis*, where perhaps the Party alledges the Payment or Satisfaction of what is sued for, and *Declinatoria Judicii*, for declining the Cause, either by excepting against the Judge by *Recusation*, *Provocation*, &c. or by reason of the Plaintiff, or the Arbitrators, or Proctor, Advocate, Libel, Witnesses, Interrogatories, publick Instruments, Positions, Sentence, &c. Besides these, there are two Squadrons more of Exceptions; *Media*, or mixt ones, and *Anomala*, or irregular ones; each of which have their proper

proper Seasons of being urg'd: And these must be drawn in Writing, and some Body must pay for all this; for 'tis Money makes these Beasts to go, without which they will not stir a Foot.

What we have hitherto spoken of, is common to all Causes, whether *plenary* or *summary*. What we shall farther add (and there is much behind) agrees in its whole Latitude to the former Sort of them. Suppose then, that hitherto we be clear of all Rooks; then comes the Libel, but it must be subscrib'd by an Advocate, and possibly you may wait a little for it till next Court-Day. This being at last given into Court, it often happens that it must be amended, or alter'd, in many Cases too tedious to reckon up. And you can't have any thing done to an old Suit of Cloaths, but you shall find an *Item* for it in a Taylors Bill. Then follows the *contesting* the Suit: By this Time the Defendant is call'd upon to put in his Answer, and unless he confess the Fact, either in part or in whole, as 'tis laid, and so casts himself on the Mercy of the Court, which is *contesting* a Suit *Affirmatively*, he must protest by his Proctor against the Generality, Ineptitude, Obscurity, or undue Specification of the Libel, and that the Things contain'd in it are not true, and therefore what is contain'd in it ought not to be granted: And this is *contesting Negatively*.

Then the Plaintiff alledges that his Libel is in Articles, and he desires that the Judge may repeat it in full force of the Positions and Articles; which accordingly is done, and the Libel admitted with a *Salvo Jure impertinentium & non admittendorum*, &c. On this the Plaintiff desires an Answer to the Positions of this Libel; whereupon the Defendant's Proctor replies, He don't believe the Positions to be true. Then the Plaintiff by his Advocate, desires the Defendant may be decreed to be cited to answer personally to the Positions of the Libel, before the Judge, or some Commissioners. The Defendant's Proctor dissents from this, and requests a Term to be

be assign'd to prove the Libel. And here both Sides may squabble and brawl about it; but it must be by their *Seconds* (the Officers I mean) in Mode and Figure about the Time, that 'tis too short or too long, and either of them for that Reason may Appeal.

The Suit being contested, from Words the Proctors fall to Oaths, and either Side may lend his Client a *Swear*; the one, that he believes the Contents of the Libel are faithfully propounded; the other, that he will give a faithful Answer. Then the two *Principals* must take the Oaths of *Calumny*; the *general* one, and this is taken but once, and that either here or in any Part of the Proceedings; and the *particular* one, call'd the Oath of *Malice*, to this purpose, that both of them believe their Cause to be good, that they will manage it honestly, and not protract the Suit, and give no Bribes, only the *Fees* are excepted to such Persons to whom the Laws and Canons do allow them. After this, their Proctors help them to keep these Oaths by staving off the Business, upon impertinent Quirks, for six Court-Days, nay, sometimes for two or three Terms; so that, saith our Author, Men complain exceedingly of these Abuses, that they *never know any End of their Business after it comes into these Courts*.

Well, the Citation, tho' long first, at last is gotten out, for the Defendant to appear and answer the Libel before the Judge, or the Commissioners; which Commission must be certify'd into Court that it hath been executed, and is sometimes paid for jointly, sometimes by one of the Parties only. The Defendant then puts in his Answer, which is either Categorical, Hypothetical, Modal, affirming or denying, finitely or infinitely; true, necessarily or contingently; false, or in equipolent Terms. Then the Defendant appearing personally, is sworn to make a faithful Answer to the Positions of the Libel, only his Proctor protests he don't intend to answer to any criminal or captious Position; or if he do, it shall

shall be accounted null. The next Court-Day he is ordered to appear to be examined. But it may be he hath answer'd too little, and then he is summon'd again to answer more fully ; it may be too much, and then his Proctor may subduct and re-voke it.

When this is settled, if the Witnesses won't come voluntarily on an Offer of bearing their Charges, then come *Letters Compulsory* for them to appear before the Judge, or Commissioners ; and a Commission is then granted to hear their Depositions within the *Term Probatory*. These Letters are return'd into the Court, and it may be the Witnesses can't be found ; none of them, or but some of them do appear, and the Absenters are to be excommunicated ; and this is often contriv'd on purpose, that hereby the *Term Probatory* may be prorogu'd, and so the Suit may be protracted, and the Charges increas'd.

The Witnesses at last being got all together before the Judge, they are sworn : Then the Proctor protests against them, and any thing they shall say against the Intention of his Client, and desires a Day to be assign'd for propounding *Interrogatories*, which are to be given in by him into the Hands of the Register, and sign'd by the Witnesses, and after repeated before the Judge, who examines them, Whether on their Oath it be all right and true ? And whether they would have any thing altered ? But their Positions are taken in *Latin*, because we suppose that's a Language that is like the *Universal Character*, which all, even the Country Jobbers themselves, do understand.

Now after this, it may be the Proctor on one side objects, that the Witnesses han't answer'd to some *Interrogatories* which they ought to do, or not fully ; but he, on the other side, gives him the *Lie*, and so a Day is appointed for the Judge to enquire into this.

It may be the Witnesses are to be produc'd, not before the Judge, but the Commissioners ; and then, there's

there's more ado in that Case than this, which, to avoid Tediouſness, we omit.

For the same Reason we shall (tho' we are yet come hardly half way) proceed no farther, nor speak particularly to the publishing the Depositions of the Witnesses, producing more Witnesses, Exceptions which are numerous, and Replications, which are as many, and answer the other, just as one Tally doth another; nor of Duplicationis and Triplicationis, and Quadruplications. For by all these Ways is the Cause bang'd about between the Parties, and beaten too and fro like a Shittle-cock between two Battledoors: Nor of dread Proofs, which are Instruments, either publick or private, and both of them of many sorts: Nor of the Assignation of the Term to hear Sentence; nor of the suppletory Oath, given sometimes to one Side, sometimes to t'other, to supply and piece out the Defect of Proof.

Besides, and after all this, there's another long pair of Stairs, and 'tis the third in order, that would break a Man's Wind to get up, and that is, the giving of Sentence. And then when you think the Matter is issued and ended, all is undone again by an Appeal, which if we should fully speak of, there are so many deep Steps, that we should be utterly tired, as to be sure the Plaintiffs and Defendants have been long e'er this, by being carry'd, and led down so many dark and winding Stairs in these enchanted Castles.

From what hath been offer'd, we plainly see, there's no Difficulty in believing that to be a very great Truth that Bishop Burnet tells of Bishop Bedel's Observation, That the Officers of his Spiritual Court drew People into Trouble by *vexatious Suits*, and *held them so long in it, that for Three Pennyworth of the Tithe of the Turf, they would be put to Five Pounds Charges.*

We have only one Thing to add on this Head, and we leave it, that one half of the Manner of their Proceedings hath not been told in *plenary Causes*:

for: And tho' many cramp Words have been us'd by us in what we have written, they are the proper Terms of Art; and there's a very large Vocabulary of them, necessary to be mention'd by us if we should tell out the Remainder of this Tale; which we forbear.

4. We should proceed to the Things that ensue upon Excommunication. And here it were easy to be very large in discoursing on the *Significavit* into the Court of Chancery, in the Bishop's Name, that the Person hath stood excommunicate Forty Days, for the getting a Writ de Excommunicato Capiendo, that he may be sent to Prison: And of the Forfeitures of Ten Pounds on every *Capias* afterwards, for not yielding one's self up a Prisoner on the Proclamation of the *Capias*. It is a Liberty peculiar to the Church of England (saith the Learned (a) Advocate of these Courts) above all the Realms in Christendom that I read of, that if a Man stand wilfully Forty Days together Excommunicate, and be accordingly certify'd by the Bishop into the Chancery, that then he is to be committed to Prison without Bail or Main-prise; Quod potestas regia Sacrosanctæ Ecclesiæ in suis querelis deesse non deber, Because the Royal Power ought not to be wanting to holy Church in her Quarrels: Yet we must confess we don't see how this can be justify'd, unless that Axiom be own'd for Truth, that Dominion is founded in Grace; and when a Man is made a Publican and Heathen, he loses all his Civil Rights.

We might farther speak of the several ways of Absolution from this Sentence, and that upon several little Mistakes in the Form of Proceedings, and by Orders sent down from Civil Courts: For when a Man is fast bound, one would think, there are many of these Ways of unloosing him; as we have seen Children, that by the dextrous pulling of the right

---

(a) Dr. Cousin's Apology, p. 8, 9, 10.

String, have immediately whipt off the Packthred from another's Thumbs in a most surprising Manner:

We might farther speak also of the *Commuting of Penance for Money*; 'which, as \* Bishop Burnet well saith, is the worst sort of Simony, being in effect the very same Abuse that gave the World such a Scandal, when it was so indecently practis'd in the Church of Rome, and open'd the Way to the Reformation; for the Selling of Indulgences is really but a Commutation of Penance.' Of this that good Bishop Bedel had so many, and such notorious Instances in his Diocess, that he bitterly bewail'd it, and to which he was able to reply nothing, but that he had read in † Mantuan of another Place in the World, (*Rome he means*) where Heaven and God himself were set to sale.

Now from that little that hath been said, we may see how truly he spoke, when he said, ‡ That a plain and simple Thing is by these Men made very intricate. And that \*\* amongst all the Impediments to the Work of God among us, there is not any one greater than the Abuse of Ecclesiastical Jurisdiction. This is not only the Opinion of the most Godly, Judicious, Learned Men, that I have known, but the Cause of it is plain.

[Blessed Jesu! who alone workest great Marvels, send down thy Spirit on our Bishops, that they may boldly whip these Buyers and Sellers out of thy Temple, that sit there only to dishonour thy Name, and sponge on thy People, and turn thy House of Discipline into a Den of Thieves. Amen.]

And we beseech God to encline their Hearts, and those of our Governors to do it, and not to suffer these Lay-Chancellors to meddle but in Civil Causes only, and there to regulate their enormous

\* *Bishop Bedel's Life*, p. 89.

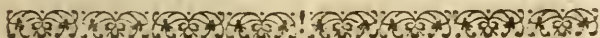
† *Ib.* p. 90.

‡ *Ib.* p. 93.

\*\* *Ib.* p. 103.

Abuses; and in the Lord Bacon's Words, ' That in lieu of Excommunication, there be given to them some ordinary Process, with such Force and Coercion as appertaineth; and that this Censure be restor'd to the true Dignity and Use thereof, which is, that it proceed not but in Cases of great Weight; and that it be decreed not by any Deputy or Substitute, but by the Bishop in Person, and not by him alone, but assisted by some others of his grave Clergy, according to the excellent Model of that incomparable, learn'd and pious Archbishop *Usher*.

Then will Discipline recover its ancient Vigour and Splendor; then will Sinners no longer slight this spiritual Sword in the Church, as Atheists do God's fiery flaming one that sometimes appears in the Heavens, as if it were a mere *Meteor* hanging in the Air, and made of fiery Vapors only; but will find it a solid substantial Thing, hath a real Point and a sharp Edge, piercing into the very Depths of the Soul, and that it needs not corporal Penalties to set one upon it to that End.



#### S E C T. IV.

##### *Of removing scandalous Ministers.*

AND sure none that regard the Glory of Almighty God, or the Honour of our Church, or the Reputation of our Clergy themselves, can ever oppose so reasonable a Motion as this; for nothing has more expos'd our holy Religion to Contempt, or encourag'd the Laity in their Vices, or sunk the Credit of our Clergy, (not to say of our Church it self) than the scandalous Lives of some of that Function. And since Examples have a more powerful Influence on the People, than mere Pre-

cepts; 'tis no wonder that the Lives of flagitious Clergymen bring in more Profelites to Wickedness and Vice, than ever their Preaching will make Votaries to Religion and Virtue; for how should the best Advices and Counsel they can deliver from the Pulpit, make any great Impression on their Hearers, which they never follow themselves, when out of it? They may long enough commend Virtue and declaim against Vice, and urge what they say with Arguments drawn from the Rewards and Punishments of another World; but how should the People believe them, when they do not live as if they believed themselves? And while so many of our Clergy make no great scruple of Conscience to drink and whore, and swear and game, and droll on the Bible, and profane the Sunday, and neglect the most important Duties of their Pastoral Charge; 'tis no wonder if the Laity think themselves authoriz'd to take the same Liberty which they see us'd by those whom they look on, not only as their Instructors, but their Patterns too. It was a just Observation of the late Earl of *Rocheſter*, that that one particular Vice, viz. The base Arts of some Clergymen, in aspiring to the high Preferments of the Church, had possess'd many of the best Quality of the Nation with that wretched Idea of Religion, that greatly dispos'd them to Atheism: For they look'd on that sacred Profession as a holy Cheat, a Trade of talking well, and living ill. 'Tis high time then to redress this Corruption, to rid our Pulpits and our Altars of such as stain them with their profane Breath and unhallowed Hands, and like the wicked Sons of *Eli*, make the very Offerings of the Lord to be abhor'd. And we are sure our Church may as well spare them, as a beautiful Face may those Blotches and Scabs that serve only to disfigure it. And yet in all the Book of Canons, we find not one that expressly orders the deposing a scandalous Clergyman.

There

There is indeed a \* Canon against such Ministers as omit the Use of any Form of Prayer, or any Rite or Ceremony whatever prescrib'd in the Service-Book, to suspend them for the first Fault; if they persist a Month in it, to excommunicate them; if another, to depose them; and † another to make void the Licenses of all such Ministers as refuse to conform to the Laws, Institutes, and Rites of our Church. So that we cannot blame her for not taking sufficient Care to purge out of all her Sons, that scandalous Sin of Nonconformity. For there's another ‡ Canon to seclude from the Ministry for three Months, every Minister that shall refuse to baptize any Child that's brought to him, (be the Parents Christian, Mahometan, or Pagan) or bury any (except the Excommunicate, &c.) according to the Form prescrib'd in the Liturgy. Another \*\* Canon forbids Ministers either to appoint or keep Fast, either in publick or private Houses, without the Leave of the Bishop, threatening him with Suspension for the first Time, Excommunication for the second, and Deposition for the third. A Canon which we think might very well be spar'd, for People need very little to be dissuaded from that sort of Mortification; and the Ministers will be very loth to attempt it, when they are oblig'd to double Penance, to go on Pilgrimage to the Bishop one Day, and fast the next. Another ‡ Canon there is against all Meetings or Clubs of the Clergy to plot any thing against the Doctrine of the Church, or to the Prejudice of the Common-Prayer-Book, threatening them with Excommunication. A very provident Canon indeed, that seems to have been made by a Spirit of Prophecy against the *Latitudinarians*. We need not insist on the LXXIVth Canon, which prescribes

---

\* Can. 38.

\*\* Can. 72.

† Can. 54.

‡ Can. 73.

‡ Can. 68.

the Clergy their several Habits, and very prudently cautions them against wearing light-colour'd Stockings, and charitably allows short Gowns to the poor Curates that have not Money to buy long ones.

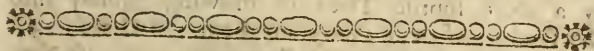
But setting aside these heinous Crimes; we find only this one Canon against other Immoralities, viz. 75. *No Ecclesiastical Persons shall at any time, other than for their honest Necessities, resort to any Taverns or Ale-houses, neither shall they board or lodge in any such Place: Furthermore they shall not give themselves to any base or Servile Labour, or to Drinking or Rior, spending their Time idly by Day or by Night, playing at Dice, Cards, or Tables, or any other unlawful Game. But at all times convenient they shall hear or read somewhat of the Holy Scriptures, or shall occupy themselves with some other honest Study, or Exercise, always doing the Things that shall appertain to Honesty, and endeavouring to profit the Church of God, having always in Mind that they ought to excel all others in Purity of Life, and should be Examples to the People to live well and Christianly, under Pain of Ecclesiastical Censures to be inflicted with severity according to the Qualities of their Offences.*

This Canon indeed speaks something to the Purpose, and yet we would beg leave to suggest two things relating to it.

1. We suppose this Canon only threatens the scandalous Clergy with Excommunication; for it does not, as the 38. 72. Ec. threaten them with Disposition on their persisting incorrigible. Whereas that too is highly necessary, there being all the Reason in the World that obstinate Nonconformity to the Laws of God should at least be equally punish'd with stubborn Nonconformity to the Laws of the Church; for it will look very odd to treat a Minister more severely for omitting a Collect in the Service-Book, or keeping a private Fast, than for being drunk, or lying with his Neighbour's Wife.

2. We

2. We wish that this good Canon it self may not stand for a Cypher for want of Execution. And yet hitherto all the good Effects that might have been expected from it to free our Churches from such leprous and unclean Priests, have been in a great Measure frustrated. For we do not see that one in twenty, of such whose notorious Vices make too publick a Noise to be unobserv'd was ever excommunicated, much less depos'd for them. We speak within Compass, and heartily lament the intolerable Mischiefs that from this fatal source overflow our Church. And therefore we would humbly recommend it to the Wisdom of our Convocation, to take the must effectual Methods for obviating of them; and (if it might be no Offence) we would take the Liberty to suggest that if the Rural Deaneries in Archbishop *Usher's* Model were restored, they might first receive Complaints against such, and suspend them till the Matter come before the Diocesan Synod. Were this done, and were all our Clergy such excellent Ornaments of their Profession, as (God be thanked) a great many of them are, the Dissenters would not so easily gain Ground upon us, as they have hitherto done by the pretended Strictness of Life in their Ministers, and their great Labouriousness in the Duties of their great Function.



S E C T. V.

*Of the Reformation of Manners in  
Ministers.*

WHAT relates to such as are chargeable with scandalous Immoralities was consider'd under the former Head; but under this Head, we would humbly recommend the reforming two  
very

very gross Corruptions retain'd in our Church, notwithstanding all the loud Complaints that have been made against them, *Pluralities* and *Non-Residence*, two Diseases that have hitherto defy'd all Remedies, and have been rather cherish'd by our Spiritual Physicians; so hard it is to redress these grand Evils in a Synod where the greatest Pluralists and Non-Residents do commonly make up the major Vote: and yet these are so notorious Blemishes in a Church, that even the Council of Trent could not for very Shame but take notice of them. And the truth is, tho' they have in their best Decrees of Reformation left a Hole to creep out by virtue of Dispensations, yet their Canons are far more strict than ours: for in their Decree of Reformation, *Sess.* the 7th, *Cap.* 2d. they forbid any Prelate having more Metropolitan or Cathedral Churches than one in *Commendam*, accounting him happy that can govern one well. And *Cap.* 3d. They enjoin the Collation of Inferior Ecclesiastical Benefices that have Cure of Souls, on worthy and able Persons, who may reside on the Place, and take care of the Flock themselves; and by the 3d. deprive that Clergyman of all his Benefices that retains more than one, whether by way of Union for Life, or perpetual *Commendam*, or any other Title, &c. Only all these good Canons are spoil'd, and by the wretched Art of Dispensations made only a more subtle Trick of drawing Money into the Pockets of those that grant them. And *Sess.* 23d. *Cap.* 1. Their Decree of Reformation against *Non-Residents* begins thus: *Since all to whom the Care of Souls is committed, are enjoy'd by Divine Precept to know their Sheep, to offer Sacrifice for them, and to feed them with the preaching of the Word of God, the Administration of Sacraments, and the Example of their good Works, to take a fatherly Care of the Poor and all other miserable People, and discharge other pastoral Duties; all which can never be perform'd by those that do not watch over and assist their Flock, but like*

Hire-

*Hirelings forsake them, &c.* See also Sess. 6. Cap. 1. and 2d. And what they say is far more applicable to Parish Churches than to Metropolitan or Cathedral.

But to return to our own Church: For *Pluralities* I find only this one Canon about them, viz. 4.

No *Licence or Dispensation for the keeping of more Benefices with Cure than one*, shall be granted to any, but such only as shall be thought very well worthy for his *Learning*, and very well able and sufficient to discharge his Duty, who shall have taken the Degree of a Master of Arts at least, in one of the Universities of this Realm, and be a publick and sufficient Preacher licens'd: Provided always that he be by a good and sufficient Caution bound to make his personal Residence in each of his said Benefices for some reasonable time in every Year, and that the said Benefice be no more than 30 Miles distant asunder; And lastly, that he have under him, in the Benefice where he does not reside, a Preacher lawfully allow'd, that's able sufficiently to teach and instruct the People.

A Canon that rather approves and strengthens than corrects so shameful an Abuse: For what restraint can it be imagin'd to lay upon it? A Man needs no higher Qualifications to capacitate him for being a Pluralist, than that he be a Master of Arts and a lawful approved Preacher. Here are no Bounds set to the Number of the Benefices he may enjoy, but that they should not stand above 30 Miles from one another; so that a Man may enjoy the same Number of Benefices, provided he can bring them within the Compass of Miles. And I wish that the Avarice of some could be held within these wide Bounds too.

Nor is the *reasonable Time* in which he must reside yearly in every one of them determined, but left to his own Discretion. And now what Apology can be made for so unreasonable a Practice? Let us suppose a Pluralist to engross four or five good Livings to his own Share, the best Restriction laid

laid on him by this Canon is, that he keep in every Living where he resides not, an approv'd Preacher that may profitably teach and instruct the People; but if these four Preachers that supply his Place in four of his Parishes be Men of those Abilities that fits them for discharging all the Duties of their Function to the People, what tolerable Reason can be given, why they should not enjoy all the Encouragement to their Labour which the Parish-Tithes were design'd to give them? Why should the main part of the Profits of poor Parishes be swept away by an idle Drone of a Pluralist, that sanfers about in his Coach, and swims in Luxury and Ease, but never takes the least Care of them, unless perhaps once in a Year to give them a kind of *Visitation-Sermon*, while the poor Ministers that reside amongst them, and bestow all their Pains and Time upon them, scarce earn their Bread with the Sweat of their Brows, but struggle under those Discouragements of a stingy Allowance, that starve their Parts, and sink their Spirits, and too often put them on doing those Things which renders them mean and contemptible: For by that time a poor Curate has provided Bread for his Family, and perhaps a Gown and Cassock for himself out of his 20 or 30 *l. per Annum*, he'll find very little left for the Increase of his slender Library, and much less for those Works of Charity, whereby he should keep up that Esteem and Interest in the Hearts of the People, that so highly conduces to the Success of his Instructions upon them. So that while the Number of the Pluralists is so great, and their Covetousness far greater, it cannot be expected, where the Salary they allow is so despicable, that they should ever provide for some of their Cures any better Priests than those of *Jeroboam*, made of the meanest of the People; such as may thank God that our Church has furnish'd them with a Liturgy, and some of our Learned Clergy with Sermons for every Sunday in the Year. And what Account will such *Mercenary* Pastors, as the Council of *Trent* is  
self

self calls them, give to the universal Bishop of these Flocks, whom they have starv'd to fill their own Purfes? Or whence can the greedy Humour of heaping up so many Steeples spring, but from the wretched, insatiable *Love of Money*, which is so unbecoming a Clergyman, who pretends a Concern for the Salvation of Souls, and therefore should not gratify his filthy Lucre at the Price of their Blood?

We are so far from speaking this, as grudging the Clergy the just Encouragement of their Labours, that if a more fair and just Distribution of the legal Maintenance would not sufficiently provide for all, we should think it worthy the pious Zeal of his Majesty and the Parliament to find out Ways of supplying that Defect. But, in the mean Time, as the Difference of the Value of the Benefice will have room enough to reward the different Abilities of the Clergy; so we cannot but regret it, that the greatest Load of excessive Preferments is usually heap'd, not on those that deserve, but on those that seek them. The importunate Ambition of the Latter putting them on these base Methods to compass their Design, which the Probity as well as Modesty of the Former debars them from.

Having said so much about Pluralities, we shall be more brief on the other Head of *Non-Residence*. We shall not insist on the XLII, XLIII, and XLIVth Canons, which relate to the Deans, Prebends, and Canons in the several Cathedrals and Collegiate Churches, because these concern the Clergy more than us; only we cannot but commend the great Care of the Church, in its Injunction to the Deans, who must providently see that the Petty-Canons, Vicars, Choral, and other Ministers of the Church, have a *Latin* as well as *English* Testament. We suppose this Caution was, lest the lazy Fellows should forget all they had learn'd at School: And *Greek*, it seems, is as little expected from them as *Syriack* or *Arabick*.

The XLVth enjoins the Resident Clergy one Sermon every Sunday, when they have no just Impediment. The XLVIth and XLVIIth run thus,

XLVIth. *Every beneficed Man, not allow'd to be a Preacher, shall procure Sermons to be preach'd in his Cure once in every Month at least, by Preachers lawfully licens'd, if his Living, in the Judgment of the Ordinary, will be able to bear it. And upon every Sunday, when there shall not be a Sermon preach'd in his Cure, he or his Curate shall read some one of the Homilies prescrib'd, or to be prescrib'd, by Authority, to the Intents aforesaid.*

XLVIIth. *Every benefic'd Man, licens'd by the Laws of the Realm, upon urgent Occasions of other Service, not to reside upon his Benefice, shall cause his Cure to be supply'd by a Curate that is a sufficient and licens'd Preacher, if the Worth of the Benefice will bear it: But whoever has two Benefices shall maintain a Preacher, licens'd in the Benefice, where he does not reside, except he preach himself at both of them usually.*

These Canons, especially the Former, do so evidently expose themselves, that they save us the Labour of any long Remarks upon them. We cannot but think it strange, that a Man may be the Incumbent of a Cure, and consequently enjoy both the Name and Revenues of a Minister to that People, who is not so much as *licens'd to preach*; nay, so mere a Layman, that according to Can. XLIX. he must not take on him *to expound, in his own Cure, or else-where, any Scripture or Matter of Doctrine*; and the highest Privilege allow'd him is, that he study to read plainly, and apply, without *glossing or adding, the Homilies* already set forth, &c. I perceive there may be *Ignoramus Ministers*, as well as *Lawyers or Jurymen*; and if our Church do not wrong them by the severe Restraint this Canon lays on them, they are more fit to be sent to School to *con* their Lesson, than into the Pulpit to instruct the People. But tho' we cannot admire the Wisdom of our Church, in allowing such mean Benefices, yet we must acknowledge her great Charity towards them and their Curates, in providing

ding so good a Help as the Book of *Homilies* for those whose *Eyes* are the only considerable Talents that God Almighty has thought fit to bless them withal.

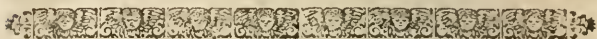
We shall add no more under this Head; but that we wish the *Simoniacal Oath* were strong enough to keep out all secret Arts of purchasing Preferments; and we think it highly advisable, that according to Archbishop *Usher's* Model, *Art. 2.* in every Deanry, the Ministers of particular Parishes might be censurable for Errors, or gross Neglects in their Office. &c. with Liberty of Appeals to a Diocesan Synod, if need be.

But that the Clergy may not think us, in these two Articles, too severe on them, and partial to our selves, we shall propose it to the Wisdom of our Governours, whether the Power of *Patrons* in presenting to Livings should not be so far restrain'd, as not to impose a Minister on any Parish without their Consent. The late very Learned Bishop of *Salisbury* in his *Regalia*, as well as others, hath made it undeniably evident, that this was the Practice of the Universal Church for 600, if not 1000 Years after our Saviour's Time. And therefore, tho' we would have so much regard paid to the Charity of our Ancestors, as not to exclude Patrons from a Privilege, enjoyn'd on that Score, by so long Prescription, yet we would be heartily glad 'twere render'd consistent with this Ancient Privilege of the People too, that the primitive Practice in this Particular might be reviv'd. If indeed the Parson alone were to be sav'd, or damn'd, not only for himself, but his Parishoners too, 'twere no great Matter to the People who be; but if they must answer for their own Souls, 'tis but reasonable they should be satisfy'd whom they trust with the Conduct of them.

And how liberally soever Patrons have endow'd any Churches, 'twere but a hard Bargain they make with the People to require them, by implicate Faith, to acquiesce in whatever Minister they or their Heirs shall ever recommend to them.

Nay,

Nay, some would not have Patrons impose on our Clergy any more than on the People. There are several secret Ways of purchasing a Benefice, which some Patrons oblige the Clergy to, without making a downright Bargain; and we would not have so much as the courting of an *Abigail* to be the Price of it.



## SECT. VI.

### *Of Reforming Manners in People.*

**L**EST the Fear and Apprehension into which the Words, *Alteration* and *Review*, may cast some Church-Bigots, should be fatal to them; we shall now labour to recover them, assuring them that there are some of the old Canons we desire may be reinforc'd, and that the Subjects to which they relate, may be consider'd and examin'd, *viz.* such as order the Censures of the Church to be inflicted upon all Persons notoriously wicked, that they may be hinder'd from coming to the blessed Sacrament, with such Frequency, and in such Numbers, as they now ordinarily do, particularly, *Can. XXVI*, which runs thus:

‘ No Minister shall in any wise admit to the receiving the Holy Communion any of his Cure or Flock, which he openly knows to live in notorious Sin, without Repentance; nor any who have maliciously and openly contended with their Neighbours, till they shall be reconcil’d, nor any Church-Warden or Side-Man, who, having taken their Oaths to present to the Ordinary all such publick Offences as they are particularly charg’d to enquire of in their several Parishes, shall, notwithstanding their said Oaths, and that their faithful Discharge of them is the chief Means whereby  
‘ pub-

‘ publick Sins and Offences may be reform’d and  
‘ punish’d, wittingly and willingly, desperately and  
‘ irreligiously, incur the horrible Crime of Perjury,  
‘ either in neglecting or refusing to present such of  
‘ the said Enormities, and publick Offences as they  
‘ know themselves to be committed in their said  
‘ Parishes, as are notoriously offensive to the Con-  
‘ gregation there, altho’ they be urg’d by some of  
‘ their Neighbours, or the Minister, or by their Or-  
‘ dinary himself, to discharge their Consciences, by  
‘ presenting them, and not to incur so desperately  
‘ the said horrid sin of Perjury.

‘ We do humbly request that, according to this  
Canon, some effectual Provision may be made to hin-  
der all such wicked Persons from our Communion,  
which are a Scandal and Reproach to any Church,  
much more to us, that the Matter may be seriously  
weigh’d, and whether more proper Methods than  
those hitherto resolv’d on may not be found out and  
settled. For to speak on the Behalf of the Laity, as  
the imposing such a Task on us, or the Church-  
Wardens, is very hard and severe, so it hath been  
unsuccessful to the Purpose for which it was intend-  
ed, and is likely always to prove so, tho’ the Canon  
says, That the Church-Wardens and Sides-Men’s  
faithful Discharge of their Oaths, in presenting Of-  
fenders to the Ordinary, is the chief Means where-  
by publick Sins and Offences may be reform’d and  
punish’d. For it cannot be probably expected, that  
they should discharge this Office with that Fidelity  
and Care which is requisite in a Business of such Im-  
portance, if we consider either the Manner of their  
present Choice, the multiplicity of Secular Affairs,  
in which they are unavoidably engag’d, the Tempta-  
tions to which they may be expos’d, either, by  
Neighbourhood, Acquaintance, Friendship, or De-  
pendance upon others, and not to mention the small  
Reverence which is paid to Oaths by the Generality  
of Persons in this dissolute Age, which ought to be  
consider’d, nor the Tricks of waving the taking  
them,

them, which the Corruptions of our Spiritual Courts hath supply'd us with : It cannot be imagin'd, but that while Men are called to this Office by turns, and the worst as well as the best Parishioners are chosen to it, and while Men are govern'd by their worldly Interest, either no Presentation at all should be made, or those that are, should be *omnia bene*: Besides, should these Lay-Officers be Persons of Sobriety and Integrity, and out of regard to their Oaths; the Peace of their own Consciences, and the good Comfort of their Christian Neighbours, make exact and just Presentations, yet according to our present Constitution they are bound to carry them into the Spiritual Courts, and what becomes of them when they are lodg'd there, all the World knows. Instead of imposing sutable Penance, Money shall be extorted by a Body of Men who have already shew'd us; that they can set Indulgences to Sale; and that they are willing Men should ruin their own Souls and go very quickly to Hell, provided they will pay them *Toll* for their Passage. We are therefore of the Opinion, that a Convocation should consider whether the Inspection into the Manners of the People should not be entrusted solely with the Ministers and Priests, and this determin'd and judg'd to be one Part of the Pastoral Care ? Whether it be not now absolutely necessary to authorize and empower all Ministers and Curates to observe the Lives of their Parishioners, to admonish them privately and publickly, to pronounce the Censures of the Church either of Suspension or Excommunication, according to their several Lives and Offences. They may be appointed to do all this in Subordination to the Bishop or the Ordinary, tho' we think 'tis requisite they should be exempted from the Jurisdiction of the Spiritual Court : they may be still accountable to the Bishop, and be oblig'd to acquaint him with the Reasons and Manner of their Proceedings, and be liable to be punish'd by him, if they either misbehave themselves or neglect their Duty. Let this

Autho-

Authority and Power be invested in them in such a Subordination, and let it be declar'd and esteem'd as an essential Branch of the Pastoral Office; and in our Apprehensions it will be a more effectual Way to redress this Disorder than the other. That which suggests this Proposal is our *Communion-Rubrick*, which requires all Persons, that intend to communicate, to send in their Names to the Curate, and orders him to admonish those that are unfit, that they should not presume to come. Now if this were duly observ'd, and the Curates likewise impower'd to reject such as shall, notwithstanding their Admission, dare to present themselves, and to pronounce either a Sentence of Suspension or Excommunication against them; we conceive this will be a more proper and effectual Method to preserve our Communion pure, than that other of committing it to the Church-Wardens, who are too often careless and unconcern'd about a Matter of such a spiritual Nature, or such as deserve to fall under the Censures of a Church themselves. It would be no hard Matter for our Convocation to fix and settle this Authority and Power, that the Curates should be invested with its just Bounds and Limits: This we propose with all Humility to Persons, that by their Sagacity and Wisdom may soon find out better Ways than we are able to do. But that which we earnestly and importunately request is, that they would resolve upon some Course for the preventing Men of the most profligate Lives and Principles from joining themselves to our Communion, and partaking of the most Holy Sacrament. And we hope our *High-Flyers* will not charge us with a Design of pulling down the House, since we only demand that those Spiders, which have fill'd every Corner of it with their Cobwebs and Venom, may be swept out; and are willing that the Besom with which it is to be done, should be put into the Hands of our Priests and Clergy.

The Reasons of our Request are such as these:

1. Because, according to the Doctrine of our Church, these Persons have no Right at all to partake of the Sacrament, and to celebrate these Holy Mysteries; for she appoints the Curate (a) *to advertise and admonish such as these, that in any wise they presume not to come.* In her Exhortation she tells us, that it is to be administred only to those *who are devoutly and religiously disposed*; and that, if any who do not repent of their Sins, but live in them without Amendment, do come, the Communion does *nothing else but encrease their Damnation.* And we are told, that Persons that live in Variance and Contention, or in any known Sin, must not be admitted, because 'tis contrary to the Communion of the Body and Blood of Christ. So that these Men are really Intruders, and thrust themselves as Guests to our most holy Table, contrary to the expresse Commands of the Church; and when we desire that they may be cast out, it is no way Injurious or Prejudicial to them, but tends to their Benefit and Advantage. 'Tis as charitable and just as to snatch a Cup of Poison out of the Hands of a Madman, who is boldly going to drink it.

2. The admitting such Persons to the Sacrament, is a very high Encouragement to the Decauchery and Wickedness that now reigns amongst us, when these shall have as free Access to this holy Table, as Persons of the highest Sobriety and Virtue; when they shall shelter themselves under our very Altars, and none have Power or Commission to pluck them from thence, what can be expected but that Impiety and Profaneness should overflow us as a mighty Stream. They have already learnt to stop the Mouths of their own Consciences, and our Mouths too, when we offer to rebuke them, by saying that they are good Christians and Members of the Church as well as we. They persuade themselves, that their being of our

---

(a) *Rubrick-Communion, Exhort. bef. Commun.*

Church here doth give them an undoubted Title to a Place among the Assembly of the First-born: and while they have such Apprehensions as these, we must expect they should indulge themselves in all manner of Immoralities. And now, shall the Holy Sacrament be prostituted to countenance and encourage such fatal Presumptions as these, to strengthen the Hands of the Vile, and cause them to commit Sin with all imaginable Boldness, and without any Remorse? Shall we turn the Cup of the Blood of Christ into the Cup of Devils, as the Apostle expresses it in 1 Cor. 10. 21. not only by permitting those who offer up themselves as Sacrifices to the Devil, to drink of it, but by making it as effectual to the promoting the Interest of Satan, as tho' he himself had really instituted it?

3. Because such a Practice as this tends to the increasing the Numbers of the dissenting Conventicles. For tho' they are not without faulty Members, as well as we, yet it must be confess'd, that they are very careful to keep and purge out all that are openly scandalous in their Lives. We indeed excel them in our Episcopal Government, the Decency and Order of our Worship, in the Numbers of sober and learned Clergy; but in this Particular we are more defective than they, there is not so much of this unhappy Leaven amongst them as there is amongst us; so that many Persons of strict Piety, who are burden'd and griev'd with this Disorder, will be tempted to desert us, and join with them; and they being not acquainted with the Distinctions of learn'd Men, will be more easily led into such an Error. And if a speedy Reformation be not made in this Matter, we must expect the Number of those who are the greatest Ornaments of our Communion, out of a pretended Concern for their Edification, will leave us. For,

4. We must now acknowledge and declare, that the Admission of such as these very much hinders our Edification, and makes us take the *Holy Sacra-*

ment with much less Joy and Comfort than we might otherwise do. As we belong to a Church that not only recommends the most enlarged Charity, but is celebrated for it, so we hope we are not without some Measure of that Love to God, and the Souls of Men, which she requires in all her Communicants; and being influenced by this, we cannot, with unconcern'd Eyes and Hearts, behold these Men profane the Name of God, and eat and drink Damnation to themselves, as our Church explains it, (a) *Diseases, Death, and the Wine of God's Wrath.*

'Tis with a great and sincere Sorrow, that we observe Persons guilty of the highest Impurities, allow'd to come to the Holy Communion, who ought to be driven from it. Our Peace and Benefit would be much greater in our Approaches to it, if we did not find there some, who, but a few Hours before, were venturing their Lives in the Quarrel of a Strumpet; others who spent the last Night in Revelling and Drunkenness, and when they join themselves to us, seem to take us for a Crew of merry Companions; others, that just before the Communion, were belching out Oaths and Curses, and soon after the End of it, will pour out whole Volleys of them again, &c. and if there were none allow'd to kneel there, but such as were sober and virtuous, devoutly and religiously dispos'd. We must therefore be excus'd, if after so long a Silence we take the Liberty to express our Resentments in this Matter, and to declare that we do, with a very passionate Grief, see the Holy Bread and Wine touch'd by such polluted Hands and unhallow'd Mouths, especially when we fear and expect, that after the taking of these, according to the Threatning denounc'd by our Church, (b) *The Devil should enter into them, as he did into Judas, to fill them full of Iniquities, and bring them to*

(a) *Exhortation before the Communion.*

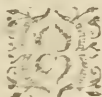
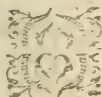
(b) *Id.*

*Destruction both of Body and Soul.* And we would add, that while we have a warm and zealous Regard to the Honour of God Almighty and his Sacraments, and the Good of others, we shall have the same Sense and Apprehensions.

But to conclude this Subject, that our *Convocation* may be stirred up to a more vigorous Zeal and Diligence in the framing new *Penitentiary* Canons, or reforming the Old, we would with all Modesty and Submission remind our Fathers and Guides of the Promises they made at their several Ordinations, and of the solemn Charge they receiv'd from our Church; which is in these Words, (a) 'Wherefore consider  
' with your selves, the End of your Ministry towards  
' the Children of God, towards the Spouse and Body  
' of Christ; and see that you never cease your Labour,  
' your Care and Diligence, until you have done all  
' that lies in you, according to your bounden Duty,  
' to bring all such as are, or shall be committed to  
' your Charge, unto that Agreement in Faith and  
' Knowledge of God, and to that Ripeness and Per-  
' fectness of Age in Christ, that there be no Place  
' left among us, either of Error in Religion, or for  
' Viciousness of Life.' And since we shall not entertain a suspicion of their Readiness to discharge their Offices with the utmost Fidelity, of their Willingness to pay a chearful Obedience to the Commands of our common Mother, we will not question their gratifying our desires in this Particular.

---

(a) *Form of Ordaining Priests.* Sparrow 125.



## S E C T. VII.

*Of the Examination of such Persons as desire to be admitted into Holy Orders, both as to their Learning and Manners.*

**T**IS the unhappy Neglect of this, has not only over-stock'd our Church with a Shoal of supernumerary Clergy, but given too many the Opportunity of crouding into Holy Orders, whom their Parents only thrust on the Service of the Church, because they knew not how to dispose otherwise of them. And yet it must be own'd, that the Canons of our Church are not altogether chargeable with this Neglect: For the XXXVth Canon enjoins the Bishop, before he admits any Person into Holy Orders, *to examine him in the Presence of those Ministers that shall assist him in the Imposition of Hands; or at least take Care that the foresaid Ministers examine him if he have any lawful Impediment.* We could heartily wish the Bishop might accordingly do it more constantly himself, in the Presence of such as assist at the Ordination, and not leave it so generally to the Archdeacon, or one of his Chaplains. And 'twere highly advisable that the particular Trials, which every Candidate for sacred Orders must pass, in order to give a good Specimen of his Proficiency in Human Learning, and especially in the Study of Divinity, were prescrib'd: For it can by no means be thought a sufficient Evidence of a Man's being qualify'd for that Sacred Function, that he can construe a Piece of the *Latin Testament*; and resolve that grand Question of *Quot sunt Symbola? &c.* The admirable Care of many foreign Churches, particularly the reformed Churches in *France*, about the Admission of their *Proposants*, is a very commendable Pattern. And even in this Point the *Directory* (how idle a Book soever it may be in other Things) has the

the Advantage of any thing prescrib'd in this Canon, which is too lax and general. And we would farther offer it to Consideration, Whether what the XXXIVth Canon enjoins in the Case of a Bishop's ordaining a Man that is not of his own Diocess, should not hold also in his ordaining those that are; viz. That he ordain no Person, but such as shall exhibit *Letters Testimonial of his good Life and Conversation, under the Seal of some College in Cambridge or Oxford, where before he remain'd; or of three or four grave Ministers, together with the Subscription and Testimony of other credible Persons, who have known his Life and Behaviour by the Space of Three Years next before.*

### The CONCLUSION.

Having thus pass'd through the several Heads above-mention'd with a Design, for the advancing the Honour and Service of Almighty God, for the Good and Quiet of the Church, and for the better Government of it, we do not doubt but the Proposals we have made, if attended to, would have such an Issue: And we hope we shall not be censur'd for invading the Priest's Office in what we have done. A Man needs not the indelible Character to do the Office of a Sexton, sweep the Dust and Filth out of the Church, and lash *Tobit's* Dog out of the Sanctuary, and that is what we have design'd. We have, in our own Apprehensions, consulted the Honour and Service of Almighty God, since what we desire tends to the more pure and orderly celebrating of his Worship, to the Removal of those Abuses, which are as provoking to him as they are displeasing to us; and may incline him, who hath hitherto, by many Miracles of Mercy and Power, defended and preserv'd us, to give us yet more signal Testimonies of his Favour and Bounty. And that we have aim'd at the Good and Quiet of the Church, is likewise evident, since what we propose will render her Offices less

less liable to the Exceptions of our Adversaries, and more profitable to us, will encrease her Purity and Splendor, will add to the Number of her pious and sober Members, will make her Government more conformable to the Primitive Pattern, and establish it on more lasting and solid Foundations, and free her Children from many of the pressing Grievances they groan under.

To sum up all: If the Desires and Wishes of the firmest Friends to our *Zion* were comply'd with, by a Reformation of Errors and Abuses, the Church of *England* might stand and flourish as the Envy and Glory of all the Reform'd Churches, impregnable to the feeble Attacks of her Enemies, and be adorn'd with a very great Purity and Brightness. But if they be scorn'd and deny'd, we may justly expect to fall under an indelible Infamy and Reproach, to have our Strength and Members lessen'd and abated, to be crush'd by the Artifices and Designs of our strong and numerous Adversaries, and to have *our Church*, and all the *Abuses* which remain in her, taken away together, by some Revolution that we look not for.

F I N I S.









